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THE NEW NATIONAL GUARD.



HE centennial celebration in New York of Washington's first inauguration revealed to more than a million astonished spectators a force of over 30,000 soldiers, well armed, equipped, and drilled, of whom not more than 2000 were in the service of the United States. It was the largest body of armed men assembled

on this continent since the close of the civil war, now nearly a generation ago. It was the largest force of militia ever paraded in this country. It was a force whose methods of organization and support are unlike those of any other military system; and its present condition of excellence is the result of barely more than a dozen years of well-directed effort. The purpose of this article is to explain as briefly as possible the origin and present condition of this force, the objects of its existence, and the extent to which these objects have been realized.

During the closing year of Washington's life, after the machinery of the new government under the Constitution was in full operation, there were four measures which he advocated on all proper occasions with his usual dignified but forcible language. These were the opening of commercial highways to the West, the founding of a national university, the establishment of a military academy, and the organiza-

tion of an efficient militia. None of them were realized during his lifetime, and the national university is still only a matter of discussion. The Military Academy was founded in 1802 and thoroughly organized in 1814, after the defeats of the war of 1812 had still further emphasized the necessity for its existence. It has since so clearly demonstrated its utility that no one now seriously questions the advisability of maintaining it. The problem of Western communications was first partially solved by Clinton in opening the Erie canal in 1825, and the solution has been completed by railways in a manner and to an extent of which Washington never dreamed. The militia "upon a regular and respectable footing," for which Washington so often pleaded, and which is the only one of these four projects to which reference is made in the Constitution, is just becoming a reality, ninety years after his death.

Concerning the militia, as concerning other military matters, Washington's opinions were radically different from those of most of his contemporaries in politics. What he had in mind was a force uniformly organized, armed, equipped, and clothed throughout the several States, and as thoroughly trained and disciplined as the circumstance of their military service being other than the principal object of their lives would permit. His long military experience had impressed upon him the immense advantage of training and organization. On the other hand the members of the Continental Congress and the Constitutional Convention were thoroughly imbued with jealousy of a standing army, which is one of the most strongly rooted

prejudices of the Anglo-Saxon race. They looked askance at too much discipline and too thorough organization, and in military matters they relied above all upon patriotic enthusiasm.

Their ideal of a soldier was the minuteman of '76, who provided his own arms, was practically without uniform or training, belonged to the great body of the population and not to a class apart, and came forth in an emergency to fight with all his will, but returned to his ordinary avocation the moment the emergency was passed—and not infrequently reserved to himself the right to judge when that moment had arrived. With such a soldier in view—and there are some instances of his success in the Revolution along with many failures—the framers of the Constitution gave no small prominence to the militia in their scheme of government. In the Bill of Rights, side by side with such fundamental doctrines as the rights of petition, peaceable assembly, and freedom of speech, it is recited that a well-regulated militia is necessary to the security of a free State. Congress is authorized in the eighth section of the first article to provide for organizing, arming, and disciplining the militia, to call it forth to execute the laws, suppress insurrection and repel invasion, and to govern such part of it as may be so called forth into the service of the United States. To the States was reserved the right to appoint the officers and to train the militia according to the method prescribed by Congress.

In spite of the ample authority thus given to Congress, and the evident intention that the militia should play an important part in the constitutional government, Congress has done little or nothing to provide an efficient militia. It called out the militia in 1812, and in some of the Indian wars, but only to see it, on account of its lack of organization and training, ignominiously defeated, except when under command of a natural leader of great force like Jackson. In the space of a hundred years Congress has passed but sixteen laws relating to the militia, and of these only five were of more than temporary importance. The first, in 1792, provided for its organization, substantially on the basis proposed by Knox in his report of 1790; the second, in 1795, conferred on the President the right to call forth the militia in cases of invasion or rebellion, and the Supreme Court decided in 1827 that it belonged exclusively to the President to judge when such an exigency existed, and that his decision was conclusive upon all other persons; the third, in 1808, passed at the urgent solicitation of Jefferson, made a permanent annual appropriation of \$200,000 for its armament and

equipment; the fourth, in 1820, required the militia to observe the system of discipline and field exercises which is prescribed for the regular army; and the fifth, in 1887, increased the annual appropriation to \$400,000.

The various presidents from Washington to Tyler, each in succession and almost year by year, urged upon Congress the desirability of a more efficient militia law; numerous projects were discussed, but none was enacted. For the last ten years legislation has been pending in behalf of the modern militia which has grown up in spite of the neglect of Congress, and many reports of committees have been made, but still the quaint and obsolete law of 1792 remains unrepealed in the book of Revised Statutes, and is to-day the law of the land.

This law requires every able-bodied male citizen between eighteen and forty-five years of age to "be enrolled in the militia." The enrolment is to be made by the captain of every company sending notice "by a proper non-commissioned officer" to "every such citizen residing within the bounds of his company." After his enrolment the citizen is to "be constantly provided with a good musket or fire-lock, of a bore sufficient for balls of the eighteenth part of a pound, a sufficient bayonet and belt, two spare flints," and many other articles which can now be obtained only by loan from a museum of antiquities. The officers are to "be armed with a sword or hanger and spontoon." The citizen "shall appear so armed, accoutred, and provided when called out to exercise or into service." The act then goes on to specify at length the organization of regiments and batteries, the number of officers, and their respective duties.

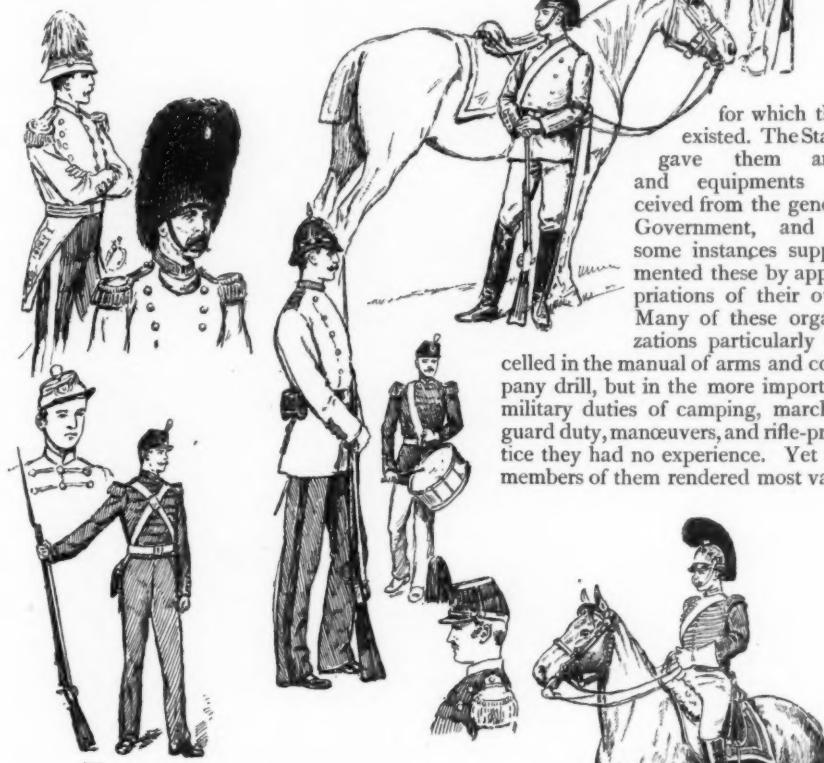
It is thus seen that under the law of the United States as it exists to-day—which, however, is in direct conflict with the law of the State—the captain of any militia regiment in New York can enroll all the able-bodied citizens of that city in his company, and call upon them to attend muster and drill, duly provided with flint-locks and powder-horns.

The theory upon which this law was framed was the theory of individual armament and equipment, and of universal service (not merely liability to service). It has been a complete failure from the day of its enactment, and has never been observed in any of its prescriptions. The militia, as it existed during the first half of the last one hundred years, consisted of independent companies, each having its own name and organization, and its own methods of drill and equipment, whose principal function was to "train" in its own village as part of the Fourth of July or other celebration. The companies were seldom, if ever, brought together for camp or instruction, and were deficient in the first

principles of practical military knowledge. The very name of militia fell into a not undeserved contempt after the war of 1812, and the whole system passed out of existence some years before the war with Mexico.

The fundamental error of this system was in requiring service from all able-bodied citizens. The enforcement of this requirement was neither possible nor desirable. This defect was recognized immediately after the passage of the act, and as early as 1794 a bill was introduced, providing for "a select corps which should be armed and equipped by the general Government, and paid for service in annual

legislatures. Organizations were formed in the various States, in limited numbers, of volunteers, and these sought and obtained recognition from their legislatures. These organizations partook in some measure of the nature of athletic clubs, but were not unmindful of the military purposes



for which they existed. The States gave them arms and equipments received from the general Government, and in some instances supplemented these by appropriations of their own. Many of these organizations particularly excelled in the manual of arms and company drill, but in the more important military duties of camping, marches, guard duty, manoeuvres, and rifle-practice they had no experience. Yet the members of them rendered most val-



camps of instruction."¹ This bill was not passed, but the same idea in various forms has been recommended to Congress and discussed from time to time ever since, and is the guiding principle of the act which was introduced but failed to pass in the last Congress. Failing, however, to gain any encouragement from Congress, this idea was adopted in the State

¹ "History of the Militia Law," in the report of the Committee on the Militia, United States House of Representatives, March 13, 1890.

able service as officers of volunteers both in the Mexican and civil wars—the 7th Regiment of New York, for example, having furnished no less than 667 men, and the 1st company of cadets of Massachusetts 150 men, of all grades from private to major-general, to the Union armies of 1861–65. With the rapid increase of urban population, the growing taste for outdoor and athletic sports, and the manifest advantages of club association, these volunteer organizations increased in numbers and in popularity. At the same time, however, there grew up a tendency to make the organi-

arms, and equipment of the United States army were adopted as far as possible; rifle-practice was rigidly required; additional armories were built for drill in winter, and camps of instruction were provided for field exercises in summer; the military codes in all the States were thoroughly revised and made as nearly uniform as possible; the courts martial were recognized by the laws of the State and as firmly established in their limited jurisdiction as any other courts, and the civil power of the sheriff and the marshal was invoked to carry their sentences into effect.



FIELD MANOEUVRES.

zation top-heavy, the number of generals and staff-officers being out of all proportion to the strength of the rank and file. This had reached its maximum just before 1877, when the militia was called upon to meet, in the railroad strikes and riots of that year, the most serious of those emergencies for which it chiefly exists. It failed to accomplish what was expected of it, and was mortified to see a handful of regulars under General Hancock easily overcome a resistance which had been too powerful for the national guard of an entire State. A reorganization on a practical military basis was soon undertaken in all the seaboard States. Great numbers of generals were retired; the organization, uniform,

In this work the Atlantic States, and particularly Pennsylvania, Massachusetts, New York, New Jersey, and Connecticut, have taken the lead; from them the movement has spread among the lake cities, and, more recently, in the South and extreme West. Every State in the Union has revised its military code since 1881, and in all but seven States there is now an organized, uniformed, and armed national guard,¹ of greater or less strength, in proportion to population and wealth. The general result is to produce the beginning and in some measure the fulfilment of Washington's plans for "placing the militia of the Union upon a *regular and respectable* footing." The day of the patriotic

¹ The name "National Guard" was first assumed by the 7th Regiment (then the second battalion of the 11th Regiment New York State Artillery) on the occasion of Lafayette's visit to New York, August 16, 1824. It was held exclusively by that regiment until 1862, when the legislature gave the name to the entire force of organized militia in New York. (See "Clark's

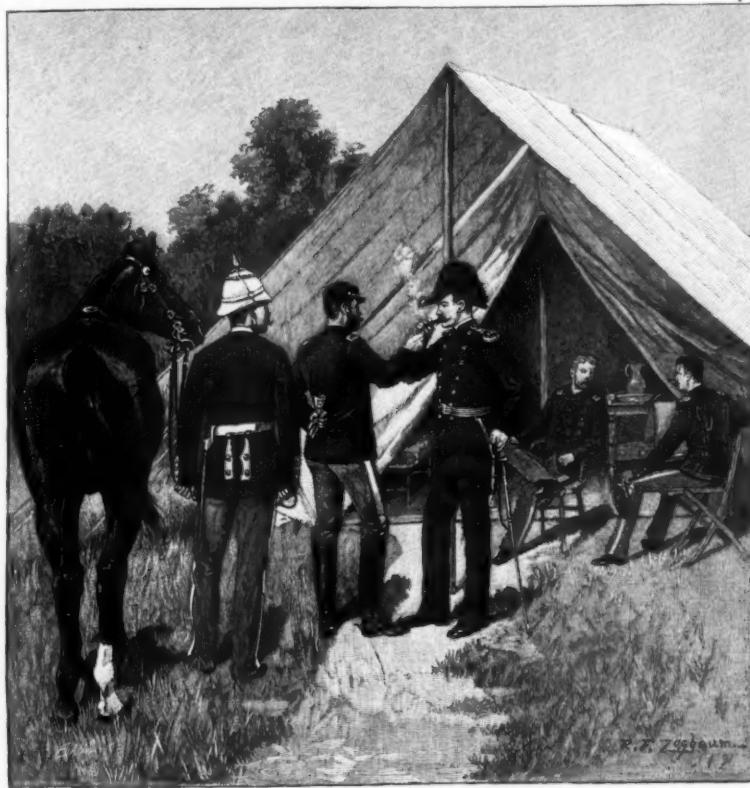
History of the 7th Regiment," Vol. I, p. 105.) The name has since been adopted by a majority of the States.

In Massachusetts and some other New England States the troops are called "Volunteer Militia"; in Virginia, "Volunteers"; in other Southern States, "State Guard" and "State Troops."

but untaught minute-man belongs to the past. The modern militia is organized more in accordance with the ideas expressed so clearly by Washington in his letter to the governors of all the States, written from Newburg on the disbanding of the army in 1783, in which he says:

The militia of this country must be considered as the palladium of our security, and the first effectual resort in case of hostility. It is essential, therefore,

present there is a well-organized battalion of this character in Massachusetts and another in New York, each about three hundred strong and divided into four divisions. Both are commanded and officered by ex-officers of the navy and graduates of the Naval Academy. They are instructed during the winter at armories in the drill of the battalion as a landing-party, with muskets and boat-howitzers, and also on board training-ships in the use of large guns.



IN CAMP — COMMANDING OFFICER'S QUARTERS.

that the same system should pervade the whole, that the formation and discipline of the continent should be absolutely uniform; and that the same species of arms, accoutrements, and military apparatus should be introduced in every part of the United States. No one who has not learned it from experience can conceive the difficulty, expense, and confusion which result from a contrary system, or the vague arrangements which have hitherto prevailed.

Within the last few years a new branch of the militia has been founded in the seaboard States, under the title of "Naval Reserve." At

During the last summer each battalion hired a steamer, on which the regular routine of a man-o'-war was rigidly enforced. The Government placed its finest squadron of new cruisers, with modern guns, at their disposal for instruction.

The naval-reserve steamer for the Massachusetts battalion was attached to the squadron in Boston harbor, and in Long Island Sound for the New York battalion. A week's hard work was performed with a surprising amount of enthusiasm. The men were instructed in the use of great guns, and acquitted themselves at ocean target-practice with credit not



FIELD ARTILLERY — IN BATTERY.

inferior to that of the regular crews of the squadron. They were also constantly exercised in boat-drill and in a successful landing-party.

In view of the difficulty of obtaining officers and instructed men for the volunteer navy in time of war, this most recent application of the principle of the volunteer militia affords the promise of very great usefulness in the future.

The annual return of the militia for 1890 gives the strength of the "unorganized" force as 7,691,987. This is a mere census statistic, and is the number of able-bodied men liable to military duty. In some States it is determined by actual enrolment, and in others it is estimated.

The organized militia numbers 109,674, or 9000 officers and 100,000 men. The average attendance at camps, as reported by the adjutants-general of States, varies from 75 to 95 per cent., but in some of the States in the South and West there is no provision for armories or encampments, and the troops have not yet attained such organization or instruc-

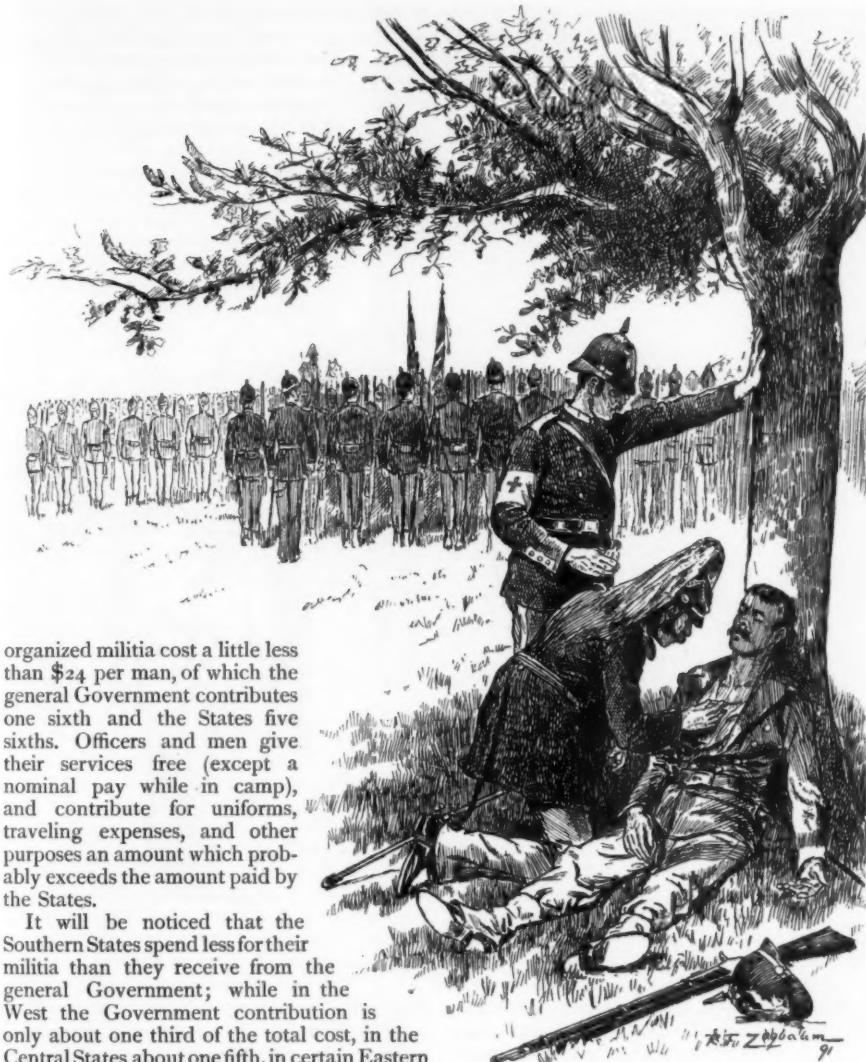
tion in military duties as to make them valuable in an emergency. The armed force of the States which can be relied upon is therefore probably between 70,000 and 80,000 men. The total force is distributed as follows:

In the States of Massachusetts, Connecticut, New York, New Jersey, and Pennsylvania, available for prompt concentration at any point between Boston and Harrisburg,	34,800
In the other Atlantic States from Maine to Virginia,	11,400
In the States along the lakes and Upper Mississippi, available for prompt concentration in Chicago, St. Louis, or other central cities	23,100
In the South	25,500
In the West	7,100
On the Pacific Coast	7,700
	109,600

This distribution, and other statistics of the militia, are shown more in detail in the table given below.

The annual cost of maintaining the United States army is about \$1000 per man. The armies of Europe cost from about \$450 per man (in England) to \$125 per man (in Russia). The

States and Territories.	Population.	Annual Expenditure by U. S.	Annual Expenditure by States.	Organized Militia.	Organized Force (persons) of Population.	Cost per Unit of Population.	Cost per man of Organized Force.
Mass., Conn., N. Y., N. J., Pa.	15,686,001	\$89,300	\$1,136,000	34,800	.222	\$0.078	\$35.21
Me., N. H., Vt., R. I., Del., Md., D. C., Va. . . 4,812,799	39,600	191,000	11,400	337	.048	20.18	
Ohio, Ind., Ill., Mich., Wis., Minn., Iowa, Mo. . . 19,364,746	112,600	516,500	23,100	119	.032	27.23	
N. C., S. C., Ga., Fla., Ala., Miss., Tenn., { W. Va., Ky., Ark., La., Tex.	16,671,724	107,200	96,300	25,500	153	.012	7.98
Neb., Kan., Col., N. Mex., Dak., Mont., { Idaho, Wyoming	3,902,407	35,400	75,000	7,100	182	.028	15.55
Wash., Ore., Cal., Nev., Ariz., Utah	2,184,573	15,900	200,000	7,700	385	.0099	20.65
	62,622,250	\$400,000	\$2,214,800	109,600	175	\$0.042	\$23.85



OVERCOME BY HEAT: A CASE FOR THE MEDICAL CORPS.

organized militia cost a little less than \$24 per man, of which the general Government contributes one sixth and the States five sixths. Officers and men give their services free (except a nominal pay while in camp), and contribute for uniforms, traveling expenses, and other purposes an amount which probably exceeds the amount paid by the States.

It will be noticed that the Southern States spend less for their militia than they receive from the general Government; while in the West the Government contribution is only about one third of the total cost, in the Central States about one fifth, in certain Eastern States one sixth, and on the Pacific Coast and in the vicinity of New York the States pay fourteen times as much as the general Government. This proportion is even greater in New York, for the cost of constructing expensive armories¹ is not included in the expenditures given in that State, whereas in other States the cost of renting armories is included as part of the expenses of

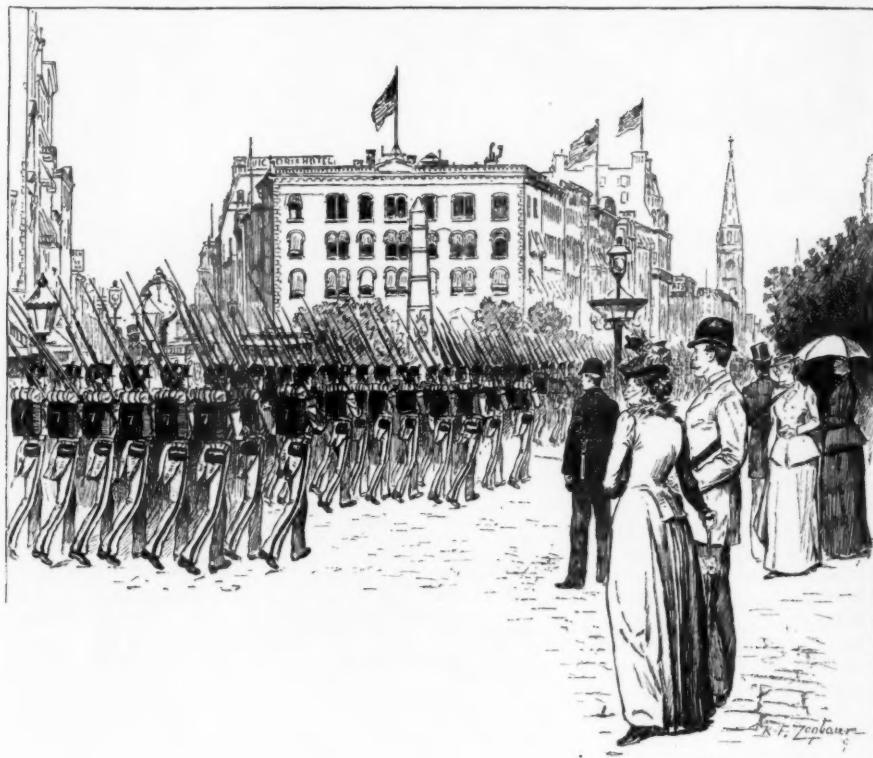
maintaining the force. The largest expenditure in proportion to population in any State is in Connecticut, where it is nearly fifteen cents per inhabitant. In some of the Southern States no appropriation is made.

¹ In 1889, in addition to \$400,000 for the expenses of the National Guard, the State of New York spent \$553,332 for armories (exclusive of those built in the city of New York which are paid for by the city) and \$125,000 for pay, transportation, and subsistence of

her 12,000 men who took part in the centennial parade. The total appropriations for the year in New York were thus \$1,078,332. In Massachusetts and some other States the cost of erecting armories is a charge upon the city or town, and no statistics of such cost are available.

The Government contribution can be drawn only in arms, equipments, and equipage, and not in money. It is distributed to the Territories in such proportions as the President may direct, and to the States in proportion to their representation in Congress, but nothing is avail-

four guns each. A few of the batteries have the new 3.2" steel breech-loading gun, and many of them have Gatlings; but most of the guns in the hands of the militia are the 12-pounder brass Napoleons, or the 3-inch iron rifles of 1863. In addition to the guns with



A STREET PARADE.

able for any State where there are less than one hundred organized and uniformed men for each senator and representative. The relative efficiency of the troops in different States is closely proportionate, up to a certain limit, to the money expended on them by the States themselves.

Of the total force about 94,000 are infantry, 5500 artillery, and 7000 cavalry. About one half of the force in New Mexico and in South Carolina is cavalry, and the proportion of this arm in all the Southern States is much greater than in the Northern. In many States there is no cavalry organization, and in New York, with a force of 14,000 men, there is only one troop of cavalry. Of artillery there are in the various States about sixty batteries, usually of

the batteries, there is at nearly every State arsenal a miscellaneous collection of old guns of various ages, most of which it would be dangerous to use with projectiles.

The usual proportions of the three arms in an army in the field are cavalry one sixth of the infantry, and artillery three pieces to 1000 infantry. But the enormous expense of maintaining or even hiring horses makes it out of the question for the militia to keep these proportions. Nor is it at all necessary, for their principal service is not in the field, but in supporting the civil authorities in maintaining order in large cities, where cavalry is practically useless, and artillery can be used only in small numbers.

In the National Guard, even more than in an army, the infantry constitutes the bulk of the

efficient force. In all the States the company is the unit of organization, but they are usually organized into regiments of ten companies each, and in most of the States into brigades of three to five regiments. In Pennsylvania the entire force constitutes a single division with three brigades and fourteen regiments. In New York there are four brigades without a common commander, except the governor and adjutant-general; the brigades contain fourteen regiments and forty-four separate companies. In Massachusetts, Illinois, and New Jersey there are two brigades each, and in many other States the entire force constitutes a single brigade. In Ohio, with eleven regiments, eight batteries, and one troop, there is no brigade organization. In New Jersey there is a division with two brigades, seven regiments, and three separate battalions.

In the matter of armament there is a diversity which would prove disastrous if the troops of different States should serve together in the field. In New York the Guard is armed (at the expense of the State) with the Remington, caliber .50, in Connecticut with the Peabody, caliber .43; in some of the States are still to be found some of the Springfield, caliber .50. With these exceptions, the troops are armed with the Springfield, caliber .45. As the army is on the point of changing its rifle for one of smaller caliber and probably of the magazine pattern, it is not desirable to change the armament of the National Guard until the new rifle is adopted. But at that time it would seem that the Government should promptly replace all the old guns and ammunition in the hands of the militia with new material.

In uniforms the entire National Guard, with hardly an exception, has now a service uniform closely resembling (and in many cases exactly like) the undress uniform of the army. For full-dress uniforms some regiments, like the 7th in New York, have a distinctive uniform to whose history they are attached; others have the full-dress uniform of the army, and some have no full-dress uniform at all. But in all cases the former tendency to gaudy and un-serviceable uniforms has been entirely eradicated. The fault, if any, in the uniforms is too much simplicity. In all armies the picked regiments and corps have special full-dress uniforms, often quite unlike, even in the same army; their history is associated with these uniforms, and they have a positive military value in pro-



THE SIGNAL CORPS.

moting regimental pride and *esprit de corps*. The gray uniform of the cadets at West Point, which has not been changed, except in head-gear, for over seventy years, is of this character, as is also that of the 7th Regiment in New York. It would be well if each regiment, or at least each State, had such a distinctive uniform for full-dress, but all having the same undress or service uniform.

It has previously been stated that the legislatures of all the States have revised their military codes since 1881. These new laws are perhaps as nearly uniform as the laws of the different States on any other single subject. Certain fundamental principles are to be found in all of them, and the most important is the division of the militia into two classes, one of which is the active or organized force, and the other is the mass of able-bodied citizens liable for military service. The active militia is composed wholly of volunteers, compulsory service being authorized only in time of war or invasion. The maximum strength is fixed by law, and in most of the States the applications for formation of new companies are much in excess of the legal limit. The enrollment of able-bodied citizens liable to military service (the unorganized militia) is in most States made every year by the tax-asses-

sors, and the return is made by them under oath to the adjutant-general. In Connecticut there is an excellent law under which all those enrolled and not serving in the active militia pay an exemption tax of two dollars. This pays all the military expenses, and enables Connecticut to make the comparatively large expenditure above mentioned. Such a tax in all the States would produce a fund of about \$14,000,000 in the aggregate.

The next point in common is the exemption of the active militia from jury duty and poll-tax except for schools. The principle of electing officers is common to all the States, except that in Pennsylvania and Connecticut general officers are appointed by the governor and confirmed by the Senate, and in Illinois, Michigan, and Vermont they are appointed by the governor alone. In New Hampshire all officers are appointed by the governor and council. With these exceptions, the officers are always elected by ballot: generals by the field-officers, field-officers by the company officers, and company officers by the enlisted men of companies. Governors appoint their own staffs, and the staffs of brigades and regiments are appointed on the recommendation of the generals and colonels with whom they serve. In some States officers hold their commissions during good behavior, in others for periods of five or three years. In many States officers are appointed only after examination by a board of officers as to their fitness; and in New Jersey whenever the division commander reports that any officer is unfit for his position, the commander-in-chief may place him on the retired list and declare a vacancy. Had such a law existed in New York, it would have saved many recent scandals which have tended to demoralize the service. In nearly all the States the commander-in-chief has the power summarily to disband any company which fails to reach a certain standard of numbers or efficiency at inspection.

Enlistments are usually for three years, but in some States for five. The system of drill is invariably the United States Tactics, and in several of the States there are complete sets of regulations issued in pursuance of law, and conforming as closely as possible to the United States Regulations. The arms and equipments are issued by the States, and are public property, kept in public armories. The uniforms are sometimes furnished by the States, but more frequently by the individuals, the State contributing a specified sum of money in partial reimbursement. In nearly all the States the assembling or parade of armed bodies other than those belonging to the regularly organized militia, or National Guard, is prohibited under heavy penalties.

In all the States there are elaborate provisions for courts martial for the punishment of military offenses, but in many of them the manner of enforcing the sentences of these courts is not clearly defined. The laws of New York, New Jersey, and Pennsylvania, however, leave nothing to be desired on this score. Most of the sentences are fines, and there are also statutory punishments for absence and neglect of duty, which are imposed without the necessity of trial by a court. In Pennsylvania the president of the court issues his warrant direct to the sheriff of the county where the court is held, and the sheriff is required to collect the fine in the same manner as debts are collected on civil process; the sheriff is to make his return within twenty days, and if no goods are found, the president of the court issues his writ of commitment of the delinquent to the county jail. In New York the president is authorized to appoint a marshal of the court, who shall perform the duties of a sheriff, or he may issue his warrant direct to the sheriff, and in default of payment may commit to jail, but the imprisonment shall not exceed twenty days. In New Jersey the collection of fines is intrusted to paymasters, to whom they are duly certified; and if the fines are not paid, the paymaster puts the return into the hands of the county judge or justice of the peace, and he issues an execution directed to the sheriff by whom the fine is to be collected, but it is especially provided that no person shall be imprisoned for a militia fine in time of peace. In Michigan, for the punishment of minor offenses, complaint is entered by the company commander before a justice of the peace, who causes the offender to be arrested and brought before him for a hearing. If satisfied that the forfeiture has been incurred without good cause, he imposes the fine and issues his execution, but in default of payment imprisonment is limited to two weeks, and cannot be inflicted on any delinquent less than twenty-one years of age. This form of procedure takes the place of the Delinquency Court of New York. Graver offenses are tried before a general or regimental court martial, and the sentences "may be confirmed and carried into execution by the officer ordering the court," but the precise manner of doing so is not specified.

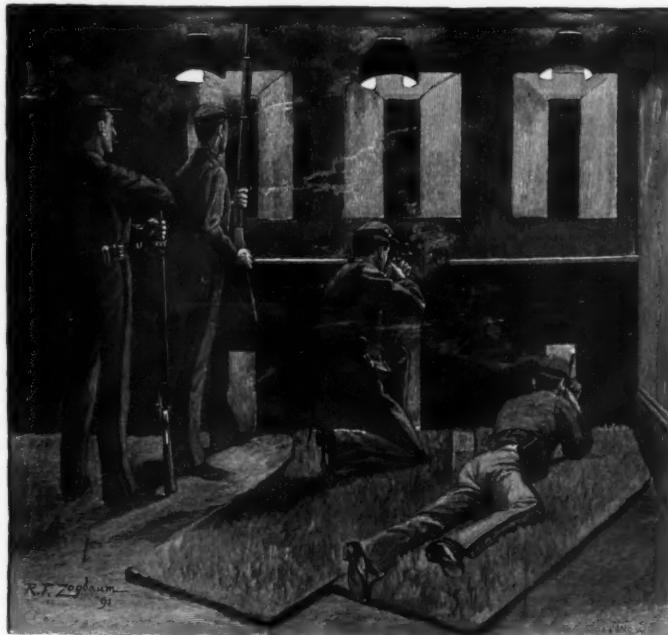
In thirty-three States the laws provide for an annual encampment of various length, from four to fourteen days. In all but three of these States provision is made for paying part or all of the expense of the encampment by the State. In some cases this is limited to the actual expenses of transportation, but in others subsistence is also furnished, and the officers and men receive pay for the time they are engaged in this service at a fixed rate per day.

From this brief examination of the principal features of the military laws of the different States it is seen that while these laws differ in details, yet the same general principles run through them all. Year by year the laws tend to become more and more uniform, each State adopting those features which have proved beneficial in other States, and rejecting those which under the test of experience have proved unsatisfactory. By this method of natural selection will be attained in due time that uniformity of system, of formation, and of discipline which Washington advocated.

The practical result of these laws, in the States where they have reached their highest

are of nearly equal strength, by a brigadier-general, brigade headquarters being at Philadelphia, Franklin, and Lebanon. All orders and correspondence are invariably transmitted through the proper military channels.

The troops are armed with the United States Springfield rifle, caliber .45, and wear the undress uniform of the United States army. They have no full-dress uniform. During the winter they drill in their armories in the evenings, not fewer than four times a month, in the school of the soldier, the company, and the battalion. In the spring each regiment is carefully inspected by the brigade inspector, and a minute report made of its condition in all military re-



RIFLE-PRACTICE AT THE 7TH REGIMENT ARMORY.

development, may be best stated by comparing the National Guards of New York and Pennsylvania. In these two States the organization and training have proceeded on somewhat different lines, each of which has its advocates, and for each of which there is much to be said.

In Pennsylvania the whole force is a unit, a compact division which can be relied upon to put eight thousand men at any point within the commonwealth on notice of forty-eight hours or less. The governor is commander-in-chief and has his own administrative staff, most of whom are paid officers. The division is commanded by a major-general, with headquarters at Philadelphia, and each of the three brigades, which

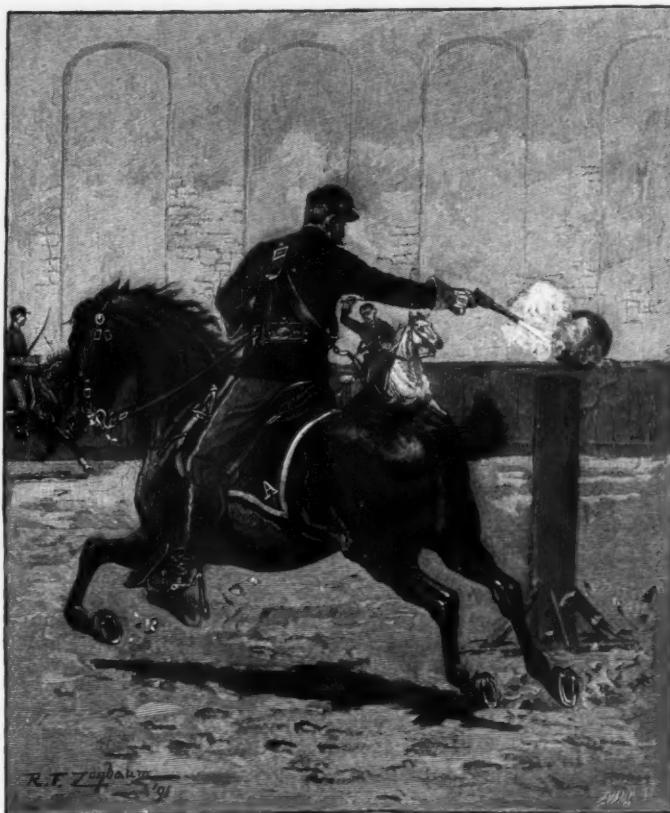
spects, and its figure of merit is determined according to certain clearly defined rules. In July they all go into camp for six days, one year by regiments in the vicinity of their homes, the next year by brigades in different parts of the State, and the third year by division. In 1884 the division encamped at Gettysburg, in 1887 and 1890 at Mount Gretna near Lebanon. The men pitch their own tents, draw rations from the Commissary Department, and cook their own food. The time in camp is occupied in rifle-practice, guard duty, regimental and brigade drill, inspection by the adjutant-general, and review by the governor. It is no holiday picnic, but six days and nights of the hardest

possible work, regardless of weather, yet the percentage of "present" is about ninety-two per cent. of the total strength, and the work is performed not only without complaint, but with enthusiasm. The Guard is popular throughout the State, and corporations and other employers encourage the attendance of their employees at the camp. The work done in rifle-practice is shown by the qualification of about 600 "sharp-shooters" and 4000 "marksmen," all qualified in strict accordance with the rules prescribed and followed in the army. At each camp one or more officers of the army are detailed as inspectors to report to the War Department. At the brigade and division camps detachments of infantry, cavalry, and artillery from the regular army are sent to form part of the camp and provide an object-lesson for the instruction of the Guard. The triennial encampments of the division are invariably inspected and reviewed by the commanding general of the army, and frequently by the President of the United States.

In New York the governor is commander-in-chief, with his staff of administrative officers, some of whom are paid as in Pennsylvania, but there is no commanding general. The adjutant-general has the rank of major-general, and is senior to all other officers in the Guard. In the lack of a division commander, he exercises many of the functions of a commanding general. The troops are formed into four brigades, with headquarters at New York, Brooklyn, Albany, and Buffalo respectively; but the strength of the brigades is unequal, the first brigade having forty per cent. of the entire force and the fourth brigade only fifteen per cent. The troops are armed with the Remington rifle, caliber .50, which cannot use the Government ammunition. They all have an undress uniform, and in addition each regiment has a full-dress uniform of its own, many but not all of which are identical. During the winter they drill in the evenings in their armories, which are larger and superior in every respect to those possessed by any other State; in fact such magnificent covered drill-houses are not to be found anywhere else in America or in Europe. These armories afford facilities for gallery rifle-practice which are fully utilized. In the spring every regiment or company is inspected and mustered by the inspector-general at the armories, and ordinarily there is a street parade on Decoration Day. The city of New York has in Van Cortlandt Park a training-ground of over 1000 acres, sufficiently large for manoeuvering a brigade in practical field-exercises, and containing in one part a level parade-ground of nearly 100 acres, recently completed at an expense of \$90,000, and probably the finest drill-ground of its kind in the world. This park

affords such favorable opportunities for field-exercises that probably such exercises and a brigade review will form part of the routine of duty every spring hereafter. During the summer and autumn there is constant rifle-practice for the first two brigades at the State range at Creedmoor, and for the other two brigades at other ranges scattered throughout the State. The number of sharp-shooters is about 250 and of marksmen 4600. In July a portion of the troops go into camp for seven days. The State owns a permanent camp-ground near Peekskill, on the Hudson, where the tents are pitched by employees, comfortably floored, and remain standing throughout the camp season of six weeks. There is also a permanent mess-hall, erected at a cost of \$26,000, where the men are fed by a caterer and hired cooks. The camp will accommodate about 1200 men, and in six weeks about half of the regiments can have their turn, each one week at a time. Thus each regiment or company has a turn of camp duty once in two years. The number "present" averages only seventy-five per cent. of the total, the feeling of the employers in New York toward their employees in regard to absence for this service being quite different from that existing in Pennsylvania. The adjutant-general is in permanent command of the camp as a post, and has a permanent post-adjutant and special instructors in guard duty and other exercises. An officer of the army is always detailed, for the whole period of the camp, to report to the War Department. No time is wasted in reviews, formal inspections, or rifle-practice. All these are performed at other times and places. The whole period of the camp is devoted to guard and outpost duty, battalion and skirmish drill.

The two systems of organization and instruction thus outlined are quite dissimilar. In Pennsylvania there is a unit—the division—with its subordinate organizations and well-defined military channels. In New York there is a collection of regiments and "separate companies" which are seldom brought together, and many of which do not see each other for years. The practical instruction in mobilizing, transporting, and supplying the Pennsylvania division is invaluable to the staff. The education in the hardships and discomforts of a soldier's life, and in taking care of one's self when removed from the sphere of the landlord, the tailor, the butcher, the grocer, and the baker, is equally invaluable to the company officers and men. The experience of seeing large bodies of troops assembled and commanded in proper manner gives an idea of the ultimate end and aim of all military instruction, which can be gained in no other way. All this the Pennsylvania system provides in some measure, and the New

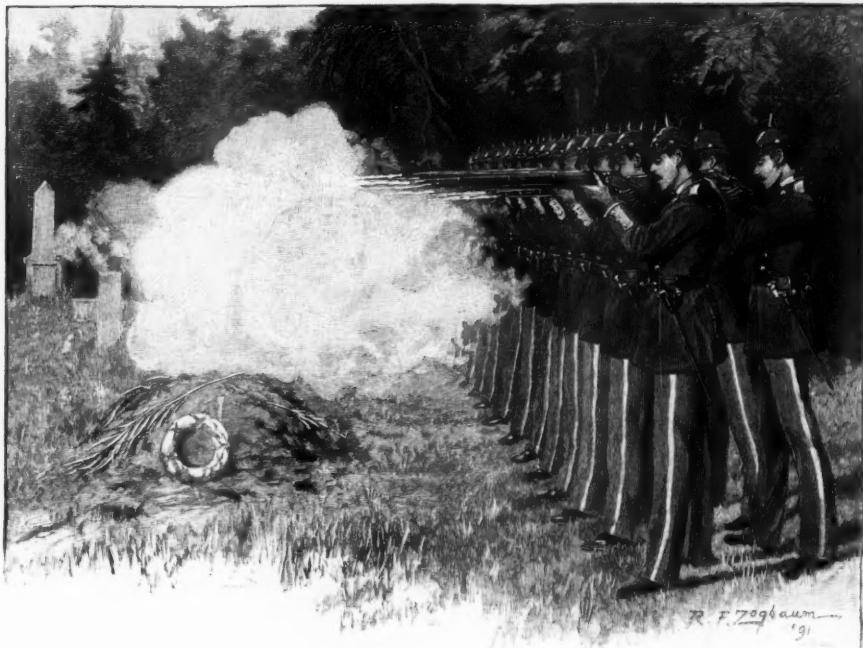


INDOOR CAVALRY PRACTICE — SHOOTING AND CUTTING AT THE HEADS.

York system not at all. On the other hand, this is gained at the expense of proficiency in details. The New York troops are better "set up," present a smarter appearance, are much more thoroughly drilled in the school of the company and battalion, have a better knowledge of guard and outpost duty, are more observant of military courtesy,—in short, are in every way better drilled as regiments. In Pennsylvania some of the governors, all of the general officers, and many of the colonels have been veterans of the civil war; they keep in close touch with the army and its principal officers, and they pride themselves on being practical soldiers and not merely men of parade. Their model is the veteran volunteers of 1865, than which none could be better; but in following this ideal too many of the men mistake a slouchy appearance, a lack of discipline, and a disregard of cleanliness in camp for evidences of their practical knowledge. Unconsciously they imitate the bummer instead of the veteran. In New York, on the other hand, the propor-

tion of officers who served in the civil war is much smaller, the men as a rule are possessed of more means, the State spends much more money in providing them with armories and other facilities, and their minds are more closely occupied with the minor details of drill. Their ideal is not so much the veteran volunteer as the 7th Regiment, which has for fifty years maintained its reputation as the best-drilled body of soldiers in the whole country, with the single exception of the West Point cadets.

There are merits and defects in both systems, and the true ideal is to be found in accepting what is good and rejecting what is bad in both. The Pennsylvania troops can adopt, with great advantage to themselves, the neatness and the proficiency in drill and details of the New York men; and if these latter could add to their knowledge of the drill-book the better organization of the Pennsylvania troops and their practical experience in massing and handling large bodies in the field and in the routine of camp, as it is carried on in actual service, they would



LAST HONORS.

form a corps which would compare favorably with regular armies. Whether with the limited time at disposal the two systems can be combined is a question which admits of doubt, but there can be no doubt that the effort of all the National Guards should be in this direction.

The objects for which the militia is maintained, so far as the Federal Government is concerned, are clearly defined in the Constitution, "to execute the laws of the Union, suppress insurrections, and repel invasions." But the militia is very much older than the Constitution, and its primary object always was, and still is, to aid the civil authorities in maintaining the law within the States, in those cases where the ordinary means—the sheriff, the constable, and the police—are insufficient. The States are prohibited from keeping troops in time of peace without the consent of Congress, but this consent was given by the Act of 1792, authorizing the organization of the militia into "divisions, brigades, regiments, battalions, and companies, as the legislature of the State may direct," and the consent has never been withdrawn except by the Act of March 2, 1867, which for a time prohibited nine States lately in rebellion from maintaining an organized militia.

The militia has thus a twofold allegiance—first, to the State, to assist in maintaining order,

and, second, to the general government, to suppress insurrection and repel invasion. But outside of its legal duties to the State and nation, the militia has a well-defined status in the military policy which has grown up in a century of experience, and which, while not prescribed in any statute, is quite permanently established. This system comprises, first, a small *regular army*, to aid in the settlement of the country by affording protection against Indians, to serve as a training-school for officers, and to provide a nucleus for the large armies necessary in time of war; second, the *militia*, to aid the civil authorities in maintaining order, to serve as a secondary training-school for officers, and to act at decisive points on the outbreak of hostilities; third, large armies of *volunteers*, enlisted for the period of the war, officered principally from the regular army and the militia, and upon whom fall the hard fighting of the war, and the conquering of a peace, almost to the exclusion of the regular army and the militia.

Our history shows that this military system, which has replaced the method of relying upon an unorganized militia which produced such disaster in the war of 1812, is well adapted to our situation and requirements, and it is approved practically without dissent. In the two subsequent wars each of the three branches, the regulars, the militia, and the volunteers,

performed its allotted part. In Mexico the regular army sustained the bulk of the fighting, but it was assisted by a considerable body of volunteers, who at Buena Vista and elsewhere rendered most gallant and admirable service, and the officers of these volunteers had largely gained their military training in the militia. In the civil war, at its outbreak, the capital was saved from occupation, and communication between it and the North was maintained, by the militia of New York and New England. It is difficult to overestimate the value of the service thus rendered in gaining time for the organization of the volunteer armies by whom the war was to be fought.

In any future war the militia will doubtless play the same part. At the outbreak its best brigades and regiments will be sent to decisive points, to hold these until volunteers can be organized to take their places. After that is accomplished they can render greater service by furnishing instructed officers to volunteer regiments, and thus disseminating their military knowledge, than by acting as military regiments. At no previous period of our history have we had so large a body of militia capable of rendering efficient service at the beginning of hostilities, or so many men available, by reason of their military instruction and enthusiasm, for officers of volunteers.

Yet, while this is true, much remains to be done and can be done still further to improve the efficiency of the militia. On a previous page it has been shown that the annual cost of the militia is about four cents per unit of population, and that in the States where the militia is most thoroughly organized the general Government contributes but one fourteenth part of this. It is evident that the general Government should give a larger portion, and should couple its donation with a more rigid inspection by its own officers as to the efficiency of the force to whose support it contributes. At present it divides its money among the States according to their representation in Congress, regardless of the condition of the force in any State, provided only that this force is reported "organized and uniformed" to the extent of one hundred men for every senator and representative. The Government might well make its assistance dependent on the number of men present in camp, fully armed and equipped and instructed in drill and rifle-practice, as determined by its own inspectors according to certain definite standards. The total amount of the Government contribution is also much too small. In 1808 it provided \$200,000 for this purpose, which was $1\frac{1}{4}$ per cent. of its total revenue, and $2\frac{3}{4}$ cents per unit of the population of that date. At present $1\frac{1}{4}$ per cent. of the total revenue would be \$5,000,000, and $2\frac{3}{4}$ cents per unit

of population would be \$1,722,000. Such sums are not necessary; but something more is necessary than the \$400,000, or one tenth of one per cent. of its revenue, which the Federal Government now contributes to the militia. The bill which failed in the last Congress provided for an annual appropriation of \$1,000,000, a sum which would doubtless be sufficient, and which at the same time is not only easily within its means, but less in proportion to revenue or population than it paid for more than thirty years after 1808, without receiving any adequate return.

Not only should the general Government aid the militia more liberally, but the individual States should increase their share of the expenses. An inefficient militia is worse than useless, and the money spent upon it is wholly wasted. If it is to be maintained at all, it should be kept to the highest state of efficiency consistent with its fundamental principle of being a voluntary, unpaid organization of men engaged in other occupations for their livelihood. It has been previously stated that some of the States contribute less than the pittance allowed by the general Government, and the nominal force in them is nearly one fourth of the whole. In these States there are no suitable armories, but few encampments, and little if any rifle-practice. The troops are not properly instructed, and would be of doubtful value in any of the emergencies for which the militia exists.

What should be and can be accomplished in the militia is to provide a force with a proper organization, uniformly armed, clothed, and equipped, well instructed in the book-drill and in the rudiments of guard and outpost duty, and, above all, perfectly familiar, by constant use, with its firearm. It is doubtful if more than this can be accomplished, and, at least in its present condition, it is probable that extended field-maneuvres and other ambitious projects which have been suggested would result in failure. It was a maxim with Colonel Emmons Clark, during the twenty-five years in which he commanded the New York 7th Regiment and brought it to its unrivaled excellence, never to attempt anything that could not be done well, and to do perfectly whatever was attempted. The result is seen in a regiment which has the maximum strength of 40 officers and 1011 men authorized by law, with over 200 instructed recruits on the "waiting list," which qualifies every year from ninety-five per cent. to ninety-seven per cent. of its strength as marksmen, whose reputation for proficiency in drill is known from one end of the land to the other, and which furnished 667 officers and men to the volunteer armies of the civil war.

The fundamental fact should always be re-

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membered that the militia is a voluntary and unpaid organization of men, to whom soldiering is an incident and not the main object of their lives. Such a force must be judged by different rules and standards from those which apply to a regular army. Discipline is not impossible in such a force, but it must be maintained through the intelligence, with force only distant in the background, rather than by brute force alone. The election of regimental and company officers, which would be an absurdity in a paid regular service, is a cherished and ancient privilege of the militia, without which the force could not be maintained for a year; and it is almost equally important that the men should have the right to elect their comrades. If the guardsman is to be obtained without pay, and to give his evenings and his holidays to military work, the service must be made attractive to him by the State and Federal governments. The fact of his enlistment presupposes military enthusiasm, for there is no other sufficient motive. To keep this enthusiasm alive the State and the nation must do their part.

With these fundamental principles in view, it is not difficult to define in a general way the respective duties of the three parties to the system.

First. The Federal Government should provide arms, equipments, and equipage, all of the latest pattern furnished to the regular troops, a service undress uniform, and the system of drill; and it should have the right to an annual inspection, and to require a certain standard of efficiency as a condition of its contributions.

Second. The State should provide armories, camping-grounds, rifle-ranges, and ammunition, and the cost of transportation necessary for assembling the entire force of the State for outdoor instruction once in each year.

Third. The officers and men should give their own time without pay, purchase the distinctive full-dress uniform of their regiment or State, and pay such annual dues as are necessary for fitting up their armory rooms according to their own taste, providing such athletic sports as are useful in developing their physical condition, and paying such incidental expenses as the State cannot properly be charged with, but which are essential to maintaining a proper *esprit de corps*.

All this can be accomplished and an efficient force of about 100,000 men be maintained at a total annual expense of about fifty dollars per man, supplemented by extra appropriations for an entire rearmament whenever the progress of military science makes a change of weapons necessary. Of this expense the Federal Government may fairly be asked to contribute one fifth, the State three fifths, and the individuals one fifth. In this way will be secured the cheapest military force in the world; a force quite different from a regular army, but having a distinct and well-defined place in our military system, capable of rendering efficient and valuable service in emergencies which are more frequent than war, as well as in war itself; a force which is a constant safeguard on the side of law and order, and is competent to realize the constitutional ideal of giving "security to a free State."

Francis V. Greene.



"CEASE FIRING!"

CHARACTERISTICS.

BY S. WEIR MITCHELL, M. D., AUTHOR OF "IN WAR TIME," ETC.

VI.

IT was some weeks before we were all together again. St. Clair had asked us to come to see certain clay models he had been at work upon, and thus it chanced one night that we met at his studio. This was a long building of brick, and only a story high. The rooms were separated only by heavy curtains, and the roof was broken by skylights. The place was ablaze with gas-jets as I entered the waiting-room, which was full of bas-reliefs, statuettes, and pictures—the gifts of artist friends. St. Clair was walking to and fro.

"A penny for your thoughts," I said, as I greeted him.

"They are worth more. I was thinking how Michelangelo would have enjoyed this good pipe of tobacco. As to Shakspere, he must have smoked. I should like to know who of the poets smoked. Lamb alone has sung of it. Lowell loved a pipe: so does Tennyson; but neither ever sang its praise.

"Certainly you are wrong as to Lowell," I said. "I recall a charming passage of his about the solace of the pipe. It is an immense help to good talk, makes decent pauses, gives time to reflect, and what a resource it is when a good solidly constructed bore has you in his coils."

"You speak feelingly. When shall you write that little essay about bores we talked of?"

"Oh, who can say? When I shall have written my natural history of fools. I began it once, but was checked at the outset by the need to define a bore. It is more mysterious than it seems. We are all bores at times. I am, I know. I am acquainted with two very able and original thinkers who never talk very long, and never pay long visits, but who nevertheless indescribably bore me. I made out at last, as regards one, that it was something in the tone of his voice; and as to the other, that it was the excessive slowness of his talk."

"The man who bores one the worst," said St. Clair, "the through-and-through bore, is the man who assumes the utter absence of capacity on your part to imagine or to know what is easily imagined or known. He begins with the Ark, or the Fall of Man, when he is about to relate how he slipped on an orange-peeling."

"I know," said I. "We have a style of professional bore we call a case-doctor, who is al-

ways relating to you cases just in that fashion. As to the fool business, that is simpler. There is the foolish fool, the fool who is a good fellow, the ass fool, and the fool finely endowed with obstinacy—the mule fool, and the middle-aged woman fool. They are all first cousins of the bores."

"And which am I?" cried Vincent, as he entered with Clayborne.

"The reverse of all folly," I cried.

"I? By George! If you had my intimate acquaintance with Fred Vincent you would hardly say so."

"Envyno man," said Clayborne, "who is not sometimes a fool. The thing is to know it. Your true fool never does. Sickness, my dear Owen, must present you with some interesting varieties of the genus fool."

"Yes," I returned; "the hysterical fool is of all the worst. How about the statues, St. Clair?"

"Come in. They are only huge sketches as yet."

We followed him into the middle room, where, amid plaster legs, arms, torsos, and medallions, were three tall formless things draped in wet gray cloths. About them lay chisels, molding-tools, buckets, and troughs of damp clay.

"Do you recall," said St. Clair to me, "that a year ago you were here when I was modeling my Venus?"

"Perfectly."

"You inquired of me how the female form would look in a masculine attitude like that of the gladiator striking with the cestus. I asked Miss S—, the model, to take the attitude. I was struck with its beauty, and a month ago I made use of it, or began to. It is a Roman lady, in the days of the decadence, boxing. You know it became the strange fashion to imitate the gladiators. Look!" And at this he cast off the wet covering.

A young, nude, and beautiful woman was striking exactly as does the trained boxer. The face, somewhat large of feature, was proud, sensual, and cruel. The muscles were rather too strongly marked for beauty, but the long, sinuous curves from shoulder to foot were of marvelous vigor.

"It has its moral," said Vincent, gravely.

"Yes," returned the sculptor; "I hope so."

Then we were silent a moment, and he went on. "It had a curious effect on my model. Miss S— is a perfectly good girl, like many of our models, and queerly full of the art sayings and criticisms of a dozen studios. She said she

did not like it, and I really think was angry, but I could get nothing more out of her."

"One might guess why she disliked it," said Vincent. "It is a terrible conception. Let us see the other. I am like your model, I hate it."

"And I may in a week," returned St. Clair, as he removed a second cloth, and looked around at us, smiling.

Four armed Greeks bore on their shoulders a shield on which lay, passive in death, the body of a young man slain in battle. The beardless face, still in the relaxation of death, rested on the edge of the shield. The features wore the expressionless calm of eternal rest from strife. I remarked on the success of the rendering of this difficult expression, or simple lack of expression, which I had seen on so many battle-fields. It is not lasting, and it is not common.

"But," said Vincent, "are not men, killed with the sword, apt to show pain in the lines of the face after death?"

"Really," I said, "so few men are killed with the sword or bayonet in modern warfare that it is rather hard to answer you. For the artist this is of little moment. Men killed instantly by bullets sometimes preserve for a time precisely the expression of the moment, and no doubt you have all seen those photographs of the dead at Gettysburg, where some of them remain in exactly the postures of their last act."

"No," said Clayborne. "How strange!"

"It appears," I continued, "to be a sudden, indeed, an almost instantaneous, *rigor mortis*. Usually the dead grow rigid after some hours. Previous fatigue is said to have to do with this early and abrupt rigidity. The effect is ghastly. One of our greatest generals¹ told me that at a spring in Georgia he halted to water his horse, and called to a man kneeling with his head at the water-level to move and make way for him. As he did not stir, an aide dismounted and spoke to him. He still remained motionless, and it was then seen that while in the act of kneeling to drink a bullet had crashed through his brain, and he had stayed, as if of stone, in the attitude in which the deadly messenger of fate found him."

"I recall your having mentioned this before," said Clayborne. "You spoke then of an essay upon the subject."

"Yes; by Surgeon John H. Brinton—a most curious record."

"I once chanced," said Clayborne, "to mention it to General Grant. He said that it could not be true, as he had seen numberless battle-fields, but had never noticed a single instance of a man shot retaining his posture. I replied that General Sheridan had told me he had many times seen it, and spoke of Brinton's pa-

per. General Grant replied at once that what these two men said they had noticed must be correct, but that it was strange that he himself should never have had his attention called to what was so singular a fact."

"The singularity," I replied, "is indeed in his failure to see what must have been before him many times. He must have been lacking in the power of minute observation, or rather in that automatic capacity to note details amidst such scenes, which some possess."

"He might," said Vincent, "have been too profoundly absorbed by the greater problems with which he had to deal."

"No; it was want of the naturalist's habit of observing without effort of attention, and in part defect of interest in the unusual. He saw, but was not impressed, and so took away no remembrance of what impressed others. Certainly it was not the mere absorption in greater matters. He was almost abnormally unimpressible. Neither sudden deaths of masses of men, nor sudden reverses, disturbed his mind. I have known him to discuss breeds of horses with interest while a battle was going on."

As I talked, and after I ceased, we moved about the group for a while in silence. Then presently Vincent said, "The charm of the thing is in the bearers of the dead. It is not a calamity for them. The young hero goes home on his shield from victorious strife, dead with honor. The contrast of his set, still face with the look of triumph in their features is really a noble success in art, and there is, too, some remnant of the passion and wrath of fight still suggested in the lower facial lines of the living bearers. I congratulate you, St. Clair; it is a poem in clay. The epitaph of the dead man is in their faces."

St. Clair was delighted. "You have seized my meaning precisely," he said. "My chief trouble was in the management of the arm which hangs over the shield. It does not yet satisfy me, and to finish it in marble will be difficult."

"Had you good models?" I said. "The four men are remarkably individualized, both as to form and expression. One is much younger than the others, and his face is distinctly more sad."

"Might be a brother of the dead man," said Vincent.

"Precisely," returned St. Clair. "What charming critics you fellows are! As to models, I was fairly well off; I had two brothers of Miss S—."

"The shield is not correct as to form," said Clayborne.

"That may be true," returned the sculptor.

"Nothing seems to me more strange," I said, "than the life of a female model. And yet great ladies have been willing to be models."

¹ Sherman.

"What you say," returned St. Clair, "recalls a rather singular story, which came to my knowledge in Italy years ago. Come into the outer room; it is less warm there, and we can talk at ease. The third figure is unfinished, and does not please me. It is after Browning's poem of 'Saul.' No; I won't show it, at least not to-night. Come."

We followed him into the outer room, and settled ourselves on lounges or easy-chairs, pipe in hand.

"And now for the story," said I.

"It was in Florence," he said, "years ago. The sculptor N——, at present a man of world-wide fame, was just rising into notice. He was desperately poor, proud as only an impoverished noble can be, and as handsome as one of my young Greeks. His absorption in his art was something past belief. He lived in it, and for it, and neither man nor woman seemed to attract him save in their relation to his work. I remember once, after an evening at the theater, being amused to discover that he did not know what opera had been sung, his attention having been entirely captured by the lines of the neck of a woman in a box near by.

"To cut a long story short, the young widow of an old Neapolitan prince fell madly in love with him, and, to my surprise, I learned that he was to marry her. He was rather cool about it when I congratulated him, and so the affair ran on for some months, the woman evidently much the more interested of the two.

"One night, at an open-air concert, he was talking to me excitedly of his new statue—a vestal virgin, a partly draped figure. I had seen his sketches, and anticipated a triumph of original work in its completion. Certainly the idea was novel. The vestal was asleep in her chair beside the dying altar-fire she had been set to guard. A tender smile, perhaps the dream-gift of forbidden love, was on her face—a charming conception. He told me he had had several models, but that all lacked the dignity and refinement of a Roman patrician. He foresaw failure, and wailed in an outspoken Italian way. What was the world to him? What was anything, with this fate before him, to know he might realize his vision of chastity and loveliness, and to find it eluding him? There were models in Rome, but he had no means to seek or bring them. I offered help as delicately as I could, and he resented it almost as an insult.

"Do you suppose," said he, "the Princess N—— would not help me if I asked her? I would die first! Money! I wish she had none."

"Hush!" I said; "some one will overhear you. You have so much in life—your art,

your growing fame, a noble woman, love, youth."

"And what are these?" he cried bitterly. "What is anything to me? What is youth or fame? What is she compared to my art? Do you suppose any woman's love can compensate me for what I am losing? These dreams must be born into marble or they become as wind-torn mists, and fade away. I have had this bitterness before, and love! you talk to me of love!"

"Nonsense," I said; "you cannot love as a man should love—as that woman is worthy to be loved."

"He started up.

"Love her as I love my art? Not I. The mortal before the enduring? Not I."

"He was too passionately moved to hear the quick rustle of garments behind us. But, turning my head, I saw, or thought I saw, the Princess retreating swiftly. A week later I met him radiant and joyous. As he took a seat beside me at a café, he cried:

"I have it! The clay is nearly done. Count R—— has bought it, and I am to put it into marble at once."

"And the model?" I said.

"Ah, thereby hangs a tale, as you English say. The day after I saw you the Princess left Florence. She returns next week. It is strange how she disturbs my use of the power which I know is in me. I felt free once more. You will think that horrible; it is true. Well, the day I bade her good-by I found a peasant woman waiting in my studio. She was, to my amusement, masked, and carried a little slate, like Ursula, the dumb model in Rome. On the slate was written: "I am a model. My brothers insist that my face shall not be seen. I can come daily for a week." I said: "Well, here is the statue in the rough. Go back of the curtain; take this veil stuff; arrange yourself; and we will see." Presently she came in, still masked, and took instantly the pose of my vestal. I was struck as dumb as she. An arm and shoulder are bare; the left arm, gathering the drapery, lies across the waist; the limbs are partly draped; the feet are in little sandals I had had made. Anything more gracious, more virginal, man never saw. I asked no questions, but went on as if I were inspired. No model I can recall so caught the spirit of the thing. If the ghost of some patrician girl of Rome's noblest had come to help me, it could not have been more wonderful. It was not a model; it was a vestal. The seventh day she did not appear, and that is the queerest of all, because I had agreed to pay her then, and her terms were unusually moderate. However, it is done, or nearly done; I can do without her—but—"

"But what?"

"Oh, I should have liked to have seen her again. That is all."

"And," I said, "when does Princess N—— return?"

"To-morrow. I shall be glad to see her. My mind is at ease now; and how much it will please her!"

"We met again in three days. He was wild with anger.

"She is gone!" he said. "Come and gone. Gone to Constantinople, they said, and thence to the East. Not a word, not a note. I had written to her at Naples, but had no reply. Yesterday I called, and was told she was not at home; and to-day, that she left last night."

"I said that it did seem strange to me, and that something certainly would explain it in a few days; but nothing did."

"WELL," said Clayborne, "is that all?"

"You don't mean that you don't understand it!" cried St. Clair.

"Yes. It seems to me entirely without ending."

The rest of us laughed. Clayborne, a most intelligent being, was subject at times to total eclipses.

"Perhaps," said St. Clair, "the sequel may help you. Three years later the Princess N—— married Count von C——, the German cavalry general, and a man in every way charming. Still later, at the sale of the effects of Count R——, the Princess bought my friend's vestal, outbidding an English duke and a French banker. I was told that she keeps it in her own boudoir, and that no visitors see it."

"And is that a true story?" said Vincent.

"Why ask?" cried St. Clair.

"Oh, I wanted to know if the man really did not know or ever guess who his model was. It seems incredible."

"I never asked him."

"I suppose not."

"I see now," said Clayborne, and was noisily congratulated on his acuteness amidst storms of laughter.

"Did I not once tell you," said the object of our mirth, "that at times all of us are subject to attacks of folly—idiocy, if you like. *Vide* Newton and the cats."

"Do you suppose the reverse applies to the fool?" laughed Vincent.

"Yes," I said; "in a way, up to a certain or uncertain limit. A friend of mine once made a clever enigma. It was correctly answered, and that in a moment, by a rather dull school-girl and by one of the most brilliant of American writers, but by no one else."

"Leave out the headings of a good many poems I know," said Clayborne, "and see if you have not good enigmas."

"Let us hear your enigma," said Vincent.

"Certainly," said I. "By the way, to justify Clayborne, I may as well say that it was really lines on —"

"Oh, don't tell!" cried St. Clair.

"Well, the author saw that without the heading it was a clever enigma. I believe it has not been in print.

"A simple go-between am I,
Without a thought of pride;
I part the gathered thoughts of men,
And liberally divide.
I set the soul of Shakspere free,
To Milton's thoughts give liberty,
Bid Sidney speak with freer speech,
Let Spenser sing, and Taylor preach.
Though through all learning swift I glide,
No wisdom doth with me abide."

"What nonsense!" said Clayborne. "And the answer?"

"Don't tell!" cried St. Clair. "Let us ask Mrs. Vincent."

"Agreed," said I.

"As you like," added Clayborne; "but to go back a little. There is some element of luck in the guessing business, almost the chance falling upon the clue; and as to the reverse cases of which you spoke, there are instances of the single poem of value a man writes, the one speech of force coming from men who were before, or after, incapable. Take the stray passages in books, otherwise valueless, as the guess at the true theory of the circulation by Servetus. If my memory served me better, I could quote no end of such cases. Talking of memory, H—— told me once that he could never remember his own poems—I mean so as to repeat them accurately. That seemed odd to me."

"Not at all," said I. "He has in mind a multitude of versions, variations, and changes. It is like the want of clearness which is caused by the superposition of photographic images."

"That must be it. And, by the way, North, you promised us a sketch from the man who has the curious complaint of too good a memory. Is that alone as a case, or did you ever hear of a like instance?"

"Yes; the late C—— P—— told me he knew well a French *savant* who was troubled by the perfection of his memory. He forgot nothing. The words a passing friend said in the street, the editorial he read to-day, the lecture he heard a week or five years ago were all alike, and equally ready to turn up in mind distinct, or capable of being repeated word for word. His childish fears, emotions experienced years before, were in the same way competent to trouble him in all the acuteness of their first presence. Unlike my patient, this man, a member of the Academy, was a person of great intelligence,

and had his memorial stores somewhat under control. About my case there is an element of morbidity, and certainly only a moderate amount of mental force."

"I should think," said Clayborne, "that a curious essay could be written about the people who possessed an excess of one quality of mind without the balancing faculties which act as critical or controlling forces. I can conceive of a man with a really good intellect without imagination, or of a strong mind devoid of power to love."

"Like a cherub—a winged brain and no heart," said St. Clair.

"Delightful!" cried Vincent. "And again there is the man of imagination without critical intelligence."

"But how is it, North, as to people with excessive sensory powers? Are they apt to be as clever as others?"

"No; hardly," I replied, a little in doubt. "The cases I have seen of extraordinary sight, hearing, or smell have been in hypnotized or hysterical folks, or in people in some way diseased. I have known persons who could hear what was said in the next room; others who could detect by smell to whom garments belonged which had been laundered. Now that you raise the question, it does seem strange that our senses should sometimes in disease, or morbid conditions, attain a perfection beyond that which under any education they can reach in health."

"Your examples serve at least to show what we might be," said Clayborne. "There are some curious speculations in this direction in Taylor's 'Physical Theory of Another Life.'"

"But what about your case?" said St. Clair.

"I have it here," said I. "It is rather long, but you can smoke."

"Let me quote first," said Vincent, "the reflection of Emerson, 'A pity that the insanities of the insane are not complementary, so that we could house two of them together.' That is about his phrase. I fancy he referred to the cranks who tormented him."

"And," said St. Clair, "who have no dead point like an honest working crank."

"I must not let Vincent begin the subject of cranks," I said, "or we shall sit all night. But as Vincent quoted that suggestive thinker I was reflecting upon the fact that while we accept individuality as a thing certain for all men, and cease to wonder at its immensity of variation, we rarely remark upon the equal individualization of man's many faculties—the distinctness of quality in the different little workmen who haunt the factories of the brain. And then the wonder of it! To see these brain-cells and fibers so nearly alike that while the convolutions, the weight, and the gross

form of the low criminal brain and the brain of a Newton are, within limits, different, these tiny creative or reflective cells, these little masses of nerve-matter that think, suffer, remember, and love, and always in their own individualized way, are so much alike in the best and the worst brains that the grouped cells that made 'Hamlet' could not be distinguished by any material feature from those which gave us 'Proverbial Philosophy.'

"Or 'Leaves of Grass,'" said Clayborne.

"Bet you anything you never read either," said St. Clair. "'Leaves of Grass' and Tupper! There was a bore."

"There are no literary bores," retorted Clayborne. "No book need bore; you can always cut a book."

"Or not cut it," I laughed.

"Shame!" cried Clayborne.

"Shall I help you?" said St. Clair.

"Oh, I saw it. I really did," said Clayborne.

"I am not sure," cried St. Clair, rising to fill his pipe anew. "But to end these metaphysical fancies. It does seem strange to a man dealing with the material outside human make, that while every inch of a man's skin varies so that you can swear to it as belonging to this or that man, and to no one else, the material within his skull, which at least represents him as to his highest qualities, should be to appearances so unindividual, and vary only a little as to quantity, or only a little as to gross form."

"There must be more essential variations, unseen as yet," said Vincent.

"Yes; it is we, the critics, who fail," I replied.

"As the mere materialist always will," cried Vincent. "But what does St. Clair mean by every inch of us differing?"

"I mean our surfaces. You can see it if you get a thousand men to press each his forefinger on a bit of slightly smoked card. No two will be identically the same."

"Delightful!" said Vincent. "Sounds like a bit of 'Gulliver's Travels.'"

"Oh, it is true; it has been studied, I believe, with care. What about that biography?"

"It is rather late," said I.

"Oh, go on," returned St. Clair. "We can smoke, as you said."

"No; we have talked away all the time I can now spare. Let us adjourn to Vincent's, say to Sunday night. We shall have Mrs. Vincent then, and I want her to hear it."

VII.

If there be such a thing as friendship at first sight, then it happened to me when first I saw Mrs. Vincent. I was still in bed, and at times suffering in such ways as are hideous to recall, and Fred had asked leave to bring his

young wife to see me. I was glad, for, as I have said, to be ill is a feminine verb, and agrees best with that gender. I was justified in her choice of time and a companion. She would have none of Fred, and went quietly and asked Mrs. L—— to go with her, and also she sent me word it would be at twilight, and named the hour, and was there as it struck—all of which goes to show that a goodly part of the divinity which shapes our ends materializes here below in the form of a woman.

She said no word as to my wound or my ailments, and yet, often since, I have seen her profuse in sentiment and demonstrative in manner, being a creature of many available moods. She talked pretty gossip, while Mrs. L—— sat by and wondered a little at the light folly of the chat. But when Anne Vincent left me, I was happier and more hopeful. At the door she turned, Mrs. L—— having preceded her, and said, "And now we are friends, you know." And with a smile on her lip, and with eyes quite overfull, added, "I am very exacting. Good-by."

Her goodness, her gentle follies, and the like we shall know better as these rambling pages go on.

The drawing-room was unlighted, as it was May and warm, and Mrs. Vincent, with St. Clair and Clayborne, sat at the open window, which overlooked large garden spaces.

"How silent you all are!" said I.

"That is only because we do not speak aloud," said St. Clair, with a laugh. "We are busily talking to ourselves. For my part, when I think that I came out of silence and shall return to it again, I feel what a vast balance there is against me.

"Oh, is there not enough of silence here, Of joy unspoken, of unworded cheer?"

Clayborne muttered in his great beard something about grown-up children, and then said aloud, "It is a Persian poet who says:

"Silence is the seed of thought."

"Well, then, that man had better have kept quiet a little longer!" exclaimed St. Clair. "Talk is the seed of thought."

"That is measurably true for me," returned Vincent, who had just entered. "At all events, I get cleared up as to a problem when I talk it out, and especially when I speak it out afoot; I mean in court, for instance."

"But for my part," I said, "I never clear my head to my satisfaction until I write out my thinkings. I may have to do it over and over, but in no other way do I get the best out of my brain."

"And I," said Clayborne, "must sit down with a pipe, alone, and let my head work. Then it comes, if it come at all. But this follows days of looser, yet quite constant musing on the matter, and I talk slowly, as you know."

"Yes; we know," murmured St. Clair, vaguely.

"Bad boy!" whispered Mrs. Vincent. "Go into a corner of silence, and stay there. Pray go on, Mr. Clayborne."

"I fancy," he continued, "that the rate of thought must govern the rate of speech. Quick thinkers are rapid speakers."

"I wonder," said St. Clair, "why it bothers a fellow to talk on his feet. I once had to speak at a dinner. I shiver at the remembrance. Where did my thoughts go, Owen? I got up with a full pocket, and in a moment was a bankrupt."

"Judging," said I, "from one's feelings the day after a public dinner, one's thoughts must go to the liver."

"That explains it," laughed Vincent. "It has always been a puzzle to me."

"Apropos of puzzles," said Mrs. Vincent, "Fred tells me you have an enigma for me, and that is curious, because I have one for you."

"Here is ours," I returned, and repeated it.

"You will never guess it," said Clayborne. "It roosted that night in a corner of my brain, and kept me awake. At last I cursed it in good Arabic, and fell asleep."

"Stop!" said Mrs. Vincent. "It is—" And she whispered to me.

"You have it. That is correct."

"The female brain is an extraordinary instrument," said Clayborne, reflectively; while Vincent, laughing, insisted on hearing the solution.

"No," she said; "not until you have guessed mine, and perhaps not then. It is short, and pretty, and very easy; in fact, it was made for some children. Here it is:

"My first is one,
My second five,
My whole is four,
And backwards six."

"That is rather pretty," said St. Clair. "Is it—" And he whispered.

"No; that is clever, but not correct."

"An amusement for fiends," said Clayborne. "Anything is better."

"Do you all give it up?" asked Mrs. Vincent. "Well, the answer is—I shall never, never, tell you the answer."

"Then here is my history. I had the man's leave to use it. And now, candles, please." And so I went on.

NOTES OF A CASE OF TOO GOOD A MEMORY.

As a child I was remarked on account of absence of imagination, and for a memory of remarkable character. I learned everything with singular ease. As I grew older, I found it so possible to memorize readily that in place of using my mind in geometry or algebra, I simply read over the problems and their solutions, and got them by heart. At first this method answered all the demands of education, but when I came to apply my knowledge to examples where no solutions were given, I of course failed. Nevertheless, I was so ready with acquired knowledge that I contrived to zigzag through my school course, and then, by my father's help, obtained a place as reporter of street incidents.

And here let me pause to describe my mental condition. The full consciousness of the great mental peculiarity of which I now speak came to me only after a time, and by degrees, and more by reason of the remarks made by others than from my own unassisted observation. This struck me forcibly once when I was about to do a race; I was then eighteen years old. A man asked what was the lineage of a certain horse. I began, and without effort, or, indeed, thought, traced the parentage back to Eclipse. This excited vast amazement. Then, as afterward, I wondered at the surprise and interest my powers of memory occasioned. The results which caused surprise were purely automatic, and cost me no effort; nor have I ever been able to feel that I had to try in order to recall a fact. In a word, my memory was perfect. At first this may seem to the reader a matter of little interest; but in reality the power to forget is one of the most valuable and helpful gifts which a man possesses. When men regret the want of vivid memory, I wonder, and envy the deficiency of which they complain. I wish, indeed, that I could feel sure of the power of death as an obliterative change. As to the loss of memory, of which the aged speak, I am most anxious. I presume, from what I hear, that men lose in time the vivid recollections of sorrow, and that Methuselah at nine hundred might have reflected with little discomfort on the follies, the griefs, the crimes, of his youth. Even the keenest remorse would lose its cruel edge and be rusted dull by time. If I read a book, it is mine forever; clever or vapid, there it is. I forget nothing. I can repeat Shakspere from end to end. As a consequence, nothing seems to me to be fresh or original. A phrase recalls one like it, and as life goes on I cease to get pleasure out of books or men's talk.

At one time I eked out my narrow income by reading manuscripts for a journal; but as

in regard to the cleverest contributions I could at once point out endless plagiarisms of thought or expression, I soon became unpopular and lost the occupation. Somewhat later I was given work to do for an encyclopedia. Seemingly there was no task for which my enormous store of varied erudition was better fitted, and yet here too I failed. My employers complained that I had no sense of proportion. All knowledge was alike to me, and all was equally well remembered. The large, the small, were as one in my mind, and had the same importance, because the place of a comma, and the words among which it lay, seemed to me equally distinct. As I reflect on this with an ever-present sense of puzzle, I seem to myself to be a mere memorial machine in which the gearing of association is altogether too complete.

My intensity of memory is accompanied with a curious automatic capacity over which I have, as life goes on, a constantly lessening control. If I remember a note, or a bar of music, I seem to hear it and a long succession of passages from the opera to which it belongs, and this is also true as to books. When awake in the dark, but also in a less degree in the daylight, I have any scene or incident which occurs to me visually projected into space before my eyes even more vividly than when I first saw it. Of late the fidelity of these recurring phantoms has troubled me, on account of their appearance seeming to be real, or what is called objective. I ascribe such apparitions to the diseased perfectness of memory, for sometimes what is past returns to me remembered in a shape even more distinct than was the impression made at the time by the then present course of the occurrence. It is singular to me that remembered sounds, which ring in my head, seem heard within it, but things once seen always appear to be outside of the head.

As I remember my dreams quite as well as the scenes of the day, I find myself troubled at times, and in doubt as to whether something is real or the product of a dream; for if a dream be as definite as a thing seen in the daylight, how shall we know it to be a thing untrue?

Certainly absolute perfection of memory is a misfortune, unless the deliberative and executive powers of the mind are normally competent to keep discipline and deal with memories which have the force of a mob.

I am told,—indeed, I know,—that, for most men, time slowly but surely blurs emotional recollections. If it were not so, all lives would be like mine—unendurable. With me the strong absolute fact of a calamity, the thing as it took place, really lives in my mind as if it had happened a moment ago, and with its recollection rises, in agonizing clearness, the emotion to which it originally gave birth. Time has no de-

structive value; all the details remain. Thus, as to my mother's death, I am forced, when associations arise, to see in all its ghastliness the minutest of the incidents of her last hours with the dreadful sharpness they had for me when, a tender child of twelve, I saw her die. Does a recurring memory merely play anew on our capacity for emotion, or do the emotions once felt remain for us as memories? I do not know. I think I must remember the emotions and not recreate them, because I am not now so sensitive to moral hurts as I once was. There is one curious trick which my sensations now and then play, and which I especially dread, and, strangely enough, it is connected with the only defect of memory to which I am ever subject. I can best illustrate this by relating an incident of my reportorial life.

Passing up an obscure street in New York, I saw a crowd around a doorway. I went, as was my business, to see what was the matter. A policeman who knew me, and who arrived at the same time, took me in with him through a window in the basement. It seemed that screams had been heard in the house, and those collected by the noise feared to enter. We went up a shabby staircase and finally found a door which was locked. As we stood near it, getting no answer to our demands to be let in, I suddenly grew faint, and a sensation of pure, causeless terror overcame me. I told my companion that I was ill, and ran down-stairs. Here I sat in a lower room, opened the window, and tried to think what it was that had thus disturbed me. The feeling that for once my memory was at fault was agreeable to me, as it always is. In a few minutes I knew that I had simply remembered a mental state without getting hold of the causative fact. Then suddenly I was aware that it was the odor of blood which had caused me to remember—I should say, to feel again—the anguish of terror I had experienced when, as a child, I saw my father bleeding from a wound of the forehead. In a few moments the policeman came down to say that a brutal murder had been done in the room we had tried to enter. This leads me to add that my sense of smell is acute.

A few days after this I was walking up the Bowery of a cold night, when I found a group around a girl who had fallen on the slippery ice and hurt herself badly. Her face, as she lay pale under a gas-lamp, at once recalled one whom I had well known. With some help I got her into a hack, and took her home to a poor little lodging where she lived with her mother. She herself was a map-colorer, and the two were evidently folks who had seen better days. The following morning I went to see them, and then began for me a period of indescribable joy in my lonely life, and yet of as utter misery.

I was, at the time I speak of, thirty-one years old. When about twenty I had been engaged (foolishly, my father said, as I had not a cent) to a girl of quite ordinary character. It ended as such affairs are apt to do, and I suffered as a lad does. Another would in process of time have come out unhurt. As for me, it led me to avoid women. Not that I disliked them; they have more charity for peculiar people than men have. But every little tenderness, a movement, a turn of the head, brought back to me intense remembrances, and all their bitter emotional accompaniments.

Throughout our simple courtship I struggled with the demon of remorseless memory. If I touched her hand, there arose the many times when I had so touched the hand of the other woman, and when at last I kissed Helen, of a sudden I felt the older joy, as it were, alongside of this new one. The ghost of extinct passion haunted the sweetness of my new and better love. So mercilessly intense was my remembrance that I became giddy for a moment. I no longer loved the other woman, and yet the recollection of my joy at winning her was brought back by a like joy in a form so real as to puzzle and confuse me.

There is no need to exemplify this trouble in detail. It recurred so often that at last I told Helen. At first she seemed only amused, but very soon became annoyed, and, absurd as it may seem, jealous of the influence my fatal memory exerted. She insisted that I could control my thoughts. I became angry at last, and we parted. Strangely enough, this rupture was a relief to me.

It seemed to me, as I read the books about memory, that every memorial impression must materially alter the brain somewhere and somehow, and that very little change should be needed to lessen what must be so slight a record. And yet, alas! for me these records seem to be unalterably persistent.

In Professor Draper's work I found his illustration of how faint need be a material record to be permanent. He says: "Put a coin on a clean mirror. Breathe on both, and wait for the moisture to evaporate; cast off the coin, put the glass aside for some days, and again breathe on the glass, and the outline of the coin will reappear." His illustration is good, but is as nothing to the delicacy of the memorial mind-marks.

I have said that I have small power to reason. I may add that I have no imagination. Memory is too implacable with me to admit of that. When I try to imagine in any of the forms described by Ruskin, I feel as though I am merely hustled by a rush of remembered facts. Every one is a poet in his sleep, but even in dreams I seldom see anything not possible, or even not clearly out of my memorial storehouse.

Facts suggest only facts for me in my effort to reason deeply, and to drive a wedge in between two facts or remembrances, and thus to separate and hold and examine them comparatively is difficult. My mind associates too rapidly for mental valuations. Thus I am forbidden by my morbid accuracy of memory to be other than minutely truthful, and the effort to make use of the little lies which cement social intercourse is rendered hard. I am not unwilling to fib, but it hurts me to be inaccurate.

After reading Dr. Horatio Wood's articles on hashish, I decided to see if this drug might not help me. I took, at first, small doses, and at last a larger one. The result I shall never forget. I had been writing, and was suddenly aware that I had lost control of my mind, and faintly realized what had happened. In place of enfeebling my memory, the drug had reinforced it. With this came also a horribly strange sensation of the flight of time. Countless ages seemed to go by as palpably as a rushing stream. Every moment seemed to be freighted with a load of memories, each mercilessly definite. I had, in fact, a sort of vertigo of reminiscences. It seemed to me that everything I had ever seen, read, or heard flashed into and through my consciousness. This ended my experiments. I am a miserable man.

WHEN I came to a close Clayborne was calmly sleeping. As I ceased, he wakened, and declared it to be very interesting.

"It is merely horrible," said Mrs. Vincent. "How welcome death must be to such a man! I can understand that he might kill himself."

"But perhaps death may also result in a vertigo of memories," I returned.

"Perhaps; yes. That indeed might give us pause."

VIII.

MRS. VINCENT, who did not love the sea, and whose dislike was reciprocated by very evil treatment on its part, was always glad to give her husband what she called a temporary divorce. She knew well how much the roughest sea voyage was his friend, and was well pleased when in summer she could persuade him to get away in his yacht.

"I have a note from Vincent," said St. Clair one day early in September. "He wants us to join him at Jamestown. Clayborne says this town is good enough. I believe he cools himself with the classic authors. At all events, go he will not."

I was happy in the chance of relief, having been detained in town all of August, and so it was that two days later we joined Vincent. We lived on his little vessel, sailed around Newport, and for a month lived a life of joyous freedom.

One day we started together to walk on Canonicut Island, across a country road which led away from the few houses on the shore. Gaining a little hilltop, we looked over at Narragansett and out to sea, or, turning, saw the Dumplings, the fort, and the quaint old steeples of Newport above the white houses scattered along the bay.

The day was perfect, and it was quiet, too, with the stillness on sea and on land of a New England Sabbath. Presently, moving on, we overtook a small, slightly built woman, who was pausing here and there to gather wild flowers.

St. Clair asked her the road to Beaver Tail Lighthouse. She said it was a rather crooked way through gates and fields, and then, as Vincent drew near, exclaimed, "Oh, what a bit of luck to see you here!"

It was evident from his greeting that they were old acquaintances. He turned and presented us. "Miss M——," he said, "and will not you show us the way? For otherwise we are but lost men."

She smiled pleasantly, and said a few words to each in turn, in a manner quite hard to put in words, but which, however one might describe it, as gracious or generous, at once established mysteriously cordial relations with the hearer. It was easy to see in a few minutes that she had the rare gift of intellectual sympathy, perhaps I should have said of sympathy in most of its forms. The farmers we met in their Sunday black suits knew her, and their dogs came and jumped on her as if welcoming a friend. The little children cast up at her shy glances of acquaintance. As we walked along, she seemed to hear all that was said, and yet with wandering eyes to see all that earth, air, and sea had to show.

We passed through fields and open gates, and at last rested on a grass-bank by the roadside. On our left was a dense shrubbery of undergrowth, ferns and scrub-oaks. The low lichen-stained walls bounded fields of perfect grass. Below us, to the left, the murmur of breaking waves came softly to the ear, and beyond, the open ocean lay intensely blue in the sun of noon.

St. Clair evidently interested our companion. He was in a mood of half-suppressed and joyous excitement, such as open air and nature at her best were apt to produce in him. "What a well-mannered day!" he said, looking around. "Such a nice reserve in its way. Here comes the wind out of the north, and says, I might be cold, but I am not; and the midday sun lets you know it might be warm, and is not. It is a day full of delicious possibilities, like—like—a nice woman."

I saw Vincent's eyebrows go up in faint

amusement, and his face said clearly, "The dear fellow is off." Not so Miss M——. "What a pretty phrase!" she exclaimed, smiling. "A well-mannered day. I shall remember that. One has worn out weather phraseology."

"Oh," said I, "the thief,

"She has the mystery of a morn in May,
Nor hot nor cold,
Nor ever grave, nor ever gay,
Until her secret soul be told."

"Ah, they always laugh at me," cried St. Clair. "And as for Dr. North's quotations, who can trust them? He is a poet in disguise, and has a half-suppressed notion that poetry is a sort of asking of the alms of emotion, and not quite as reputable work as pretending to cure folks. The day may guard her secret soul for me. The fair outside is enough. There is joy in the very air. It is a honeymoon of delight. Come, I am for the sea." And with this he rose and walked on ahead of us at a pace that soon left us far behind.

"What a glad face!" said Miss M——. "It has the most singular power of joyous expression. I remember, cousin Fred, your once speaking of him in Rome, of his intense power to feel; of his *camaraderie* with all natural objects (I think that was the word you used; it struck me as happy)."

"I am very fond of him," returned Vincent. "He is joyous by mere natural construction, a seer of things that escape us. I envy, without comprehending, his sensitiveness to innumerable impressions which escape uncaught through the coarser meshes of my mental net."

"What you say is quite true," I added; "and with it all there is a capacity for friendliness with every living thing which has often surprised me. He will quiet the fiercest dog, or take unhurt a handful of bees in his grasp. I have seen him handle a rattlesnake."

"In another man," said Vincent, "I should call his affection for trees or flowers an affectation. In him it seems entirely natural. I am an observer because I have learned to observe, but this close relation to the world of animate and inanimate things is like the tie of kindred. I can merely regard it with wonder."

"Why do you call them inanimate?" said Miss M——.

"Because they are."

"We may not be animate enough to know."

"I am not," returned Vincent. "I wish I were. Something I lose, and we cannot afford to lose any of the reasonable joys of life."

"You will never miss it," said Miss M——, "really miss it—I mean this nearness of relation to nature—as you will if ever a great misfortune should pass into your life, and become thenceforward a part of you—I may say, of you every fiber."

She spoke quietly, without any tone of self-allusion in her manner; but I turned to scan her face, and saw that as she spoke her eyes were set on the distant horizon, and at once understood that she spoke of herself.

"That is true," I said. "There is strange comfort in nature when man has none to profit you. I think we all must have felt with Victor Hugo the helpfulness of finding in nature such companionship in our moods as does give a certain, if mysterious, solace.

*J'aime la roche solennelle
D'où j'entends la plainte éternelle,
Sans trêve comme le remords,
Toujours renaissant dans les ombres.*

He is grieving over a debased and fallen France, and the sea is grieving with him."

"Yes," she said; "there are times when no human soul is tender enough, simple enough, or, if you like, subtle enough in its apprehensions, to be the friend we want—when man delights you not, nor woman either. It may be, it may seem to be, absurd to some, but there are days when to be alone with the sea, or solitary in the forest, consoles as nothing else can do on earth. I think," she went on, "that this mere loneliness with nature has negative as well as positive values. One escapes from talk. That alone is an immense thing—one need not make reply to the glad babble of the waters."

"And for me," said Vincent, "there would be but one remedy—work."

"No," I returned. "Few men, and fewer women, while still near to a great sorrow, can find relief in work. Few have energy enough for this. Those who have strong characteristics run risks which not the sturdiest can afford to despise. I have seen many a man under the stress of grief break down with intense business occupation."

"And yet," said Vincent, "what else is there? Let us suppose that we have used as we may all that higher consolations can offer; what shall a man do who is stricken down with the loss of something the most dear to him on earth? Work would be my remedy."

"You might be able to bear it; many are. Time would probably answer with you, and do all that is possible. I fancy the means of relief must vary with the man. It is quite sure that for many physical action is of use, and often saves the sensitive from those outward expressions of emotion which for them, at least, are full of moral and even physical danger. After a while there comes a time when systematic work is of value; but I am sure that in days of sorrow some people are best left to themselves. The blow of grief, like that of the lion's paw, deadens the sense of its own hurt, and

to urge physical exertion, work, or travel, or, in fact, anything, is vain or dangerous."

"Of course," said Vincent, "one's thoughts about these matters are chiefly of and for the nobler character. The mass of men suffer and get well without excess of sorrow."

"The thing we are after is, or ought to be," said Miss M——, "how to save the best natures from the inefficiency which sorrow sometimes brings in its train—the physical wreckage it makes."

"And, after all, is that common, North?"

"Common enough to be feared. But very often the inefficiency which it brings has other explanations. The dissolution of a partnership in life ruins or impairs the usefulness of the surviving partner. The dead gave something which was a complement essential to the usefulness of the remaining member of the firm. There are wives who supply judgment or common sense, or who in some way have the gift of energizing the husband, or of keeping him economical. She dies, and he is relatively valueless. Then people say it is grief, while very often he himself never fully comprehends what has happened to him."

"That is most true," said Vincent. "But to go back a little. Your remedy of contact with solitary nature must be only for the few, who have with it such relationship as you have been discussing. For some I am sure that travel has its value, because we are thus surrounded with distracting objects, and by people who may interest us without intruding on the solitude of ourselves. The loneliness of forest or sea would for me be madness under circumstances of such trouble as we are speaking of. Nature, not your nature, but nature in the more inclusive sense, never invented *La Trappe*."

"It gets very complex as we go on," said Miss M——. "The fact remains that for many, for the sensitive, and often for others than the intellectual, the world of natural things has soothsaying ways and an inexplicable comfort not elsewhere to be found."

"It may be," returned Vincent. "What are those lines of which St. Clair is so fond?

"Only on Nature's lap can some men weep,
Only to her beloved gives she sleep;
Her sympathy alone hath ever perfect touch,
Man gives too little or he gives too much."

"Thank you," said Miss M——. "And where is your friend? We ought to be ashamed to use this perfect day for a talk so grave. Let us keep the rest of it for an east wind."

"And its consolations," laughed Vincent. "As to that I am at one with you. Its relations to me are despotic and disagreeable. Oh, there he is, the idle beggar. All Lombard street to a china orange, he has been making poetry. Halloo, St. Clair!"

Below the small lighthouse, on the rocks at the verge of the sea, the sculptor lay with his head over the edge, his face exposed to the full sunlight. The waves broke far out on a reef, and as they rose again with failing power just touched his head. He laughed with the glee of a truant boy. As we came down the rocks he sat up, shook the brine out of his hair as a dog does, looked about him, and said, "Oh, the treacherous sea! There it is."

The little black note-book he usually carried in his pocket, having been laid on a rock, had been drifted off by a wave.

"Poetry gone to sea," said I; and while we laughed heartily at his look of solemn discomfiture Vincent hooked the soaked book ashore with his cane. St. Clair ruefully spread it out in the sun, while we made numerous suggestions as to the loss to the world. St. Clair said nothing until he looked up at Miss M——'s face. Then he exclaimed, "I think you could help me."

"Yes; men have no resources," she said, and, taking the book, went quietly up the shore and into the house attached to the light-tower.

"Epic or sonnet?" said Vincent.

"Sonnet," said St. Clair, tranquilly. "What bad men you are! Don't you know that was a real misfortune? Only women are entirely good. No man was ever so good as some women. Men reason themselves into goodness, but women—oh, I hate you both! Get away, do."

There was some fun and some earnestness in his phrases. Then he sat on the rock and threw stones at the billows as if for punishment, until Miss M——, who was gone for a full half-hour, came back.

"It is all right," said she, "only a little blurred and crumpled. It will serve now to keep me in remembrance."

He made no conventional mention of thanks, but, looking up, only smiled as he put the book away. After this we sat on the rocks, saying little.

The sea was one vast round of sapphire set in the gray of the rocks and the sparkling grasses of the uplands. Out of the pine woods of the northland came stronger every hour a great wind, and as the vast billows rose on the reef with white crests, it smote them so severely that the foam streamed southward in level lines.

At last Miss M—— said: "How much of this do you carry away, Dr. North? In memory, I mean, and distinctly."

I said: "My thoughts were far afield. I can see it in a manner when I close my eyes; not as I once could, when a child."

"It is with me almost as present with my eyes shut as now," said St. Clair, "and I shall not lose it. Just as I go to sleep is the time to recall a scene I once saw, but I cannot always

keep it. It changes, or gives place to another. Is that common, North?"

"I am not sure. It is common with me; but although, like you, I can best recall a scene then, I cannot always do so. Something else appears, and then that too changes. There must be a law deducible, but as it is, with what we now know, I cannot explain the facts."

"And have you," said Miss M——, "certain habitual dreams? I have."

"Yes. I used to fancy I would collect experiences on this subject. My own are often professional. I make an error in a prescription; or, about to lecture, find in my portfolio a fairy tale."

"They would be equal in value a hundred years hence," laughed Vincent.

"Too true," I returned. "A very common dream with me is to feel that I float above the ground, always a foot or two above it. It is most agreeable."

"Oh, I do that," said Miss M——.

"Yes? And you like the sensation as you have it in your dream?"

"Certainly. But I had no idea it was a frequent delusion; for it is such with me, and a very complete delusion. Sometimes I seem to have no legs at all, and to be a spirit afloat."

"It reminds me," said Vincent, "of that queer tale of a man who lost both arms and both legs in the war. How was it the story ended, Owen?"

"He is carried to a spiritual séance, and there invited to choose what spirits he would call up. With a great deal of sense he requested his legs to reappear, and immediately was able to walk about the room. He described his gait as rather uncertain, but explained it by the fact that both legs had been for two years in the Government Museum, preserved in alcohol. The fun of it was that this absurd story was accepted by spiritualists as a new proof of the truth of their doctrine."

"Oh, not really!" exclaimed Miss M——.

"Yes. He had letters thanking him and asking for details. But, in fact, the autobiography, as a whole, deceived many, although it was written without the least desire to mystify. In one place a sum of money was collected for the poor victim."

"I think I must have read the story," remarked Miss M——.

"Just now," said Vincent, "I have in my sensitive center a waking dream to the effect that my less noble organs have been long vacant of food."

"Indeed?" said Miss M——. "Then let us go. But first, Mr. St. Clair, may I confess you?"

"Yes; surely."

"You have been making verses."

"They make themselves; sometimes in a vague, disconnected way, sometimes so as to

stay in my mind and bother me like bad children until I hear and heed."

"And have you heeded to-day? and may I hear what the children of the brain have said?"

"If it will be pleasant to you."

"It will."

Then he quietly repeated these lines:

BEAVER TAIL ROCKS.

Fare forth, my soul, fare forth and take thine own;

The silver morning and the golden eve
Wait, as the virgins waited to receive
The bridegroom and the bride with roses strewn.
Fare forth and lift her veil, the bride is joy alone.
To thee the friendly hours with her shall bring
The changeless trust that bird and poet sing;
Her dower to-day shall be the asters sown
On breezy uplands, hers the vigor brought
Upon the north wind's wing, and hers for thee
A stately heritage of land and sea,
And all that nature hath, and all the great have
thought.

And she shall whisper, like a sea-born shell,
Things that thy love may hear, but never tell.

Vincent was silent, and I merely nodded to the poet. He understood me always.

"Is it good? Is it bad, Miss M——?" he said. "I do not know."

"It is the spirit of this joyous day for me set somehow in words," Miss M—— replied. "It likes me. I always think that such a pretty phrase. I don't quite care to discuss the verses. Send them to me, will you?"

St. Clair nodded gaily, and we rose and went our way.

Over the grass, through swaying primroses, among the bowing plumes of goldenrod and aster came the hearty north wind, as we went across the stone-walled fields and saw the quiet bay and the gray lines of the fort.

A farmer on the fence with his pipe took off his hat to Miss M——. She asked about his crops.

"There 's been a heap of grass, marm, this year, and corn was never better. But this here farm of mine 's the best on the island."

"And he thinks he owns it," said St. Clair, apart. "And yet the best of it to-day is yours and mine, and stem or flower of that will he never own, nor sea nor sky. I have known princes who did not own their great old galleries of pictures."

"What it is to be a poetical Marquis of Carabas!" laughed Vincent. "I am not of that famous family. Gracious, it is four o'clock!"

At the town Miss M—— left us. Then I asked Vincent who she was.

"Miss M——," he said, "is a far-away cousin of mine—very distant, in fact. A New England woman. During the war the man she

was to have married was killed at Fair Oaks. Since then her life has been one of the widest charity. Strangely enough, this slight, gentle woman with her quiet ways has a remarkable control over the criminal classes. The good she has done is past belief, and how it is that she understands and influences these ruined outcasts I cannot even dimly comprehend."

"I can," said St. Clair. "I am wicked enough to understand. I could tell that woman anything."

"And how swiftly apprehensive she is," I added; "and yet, despite her quickness, a patient hearer, and that, I think, is rare. Quick-witted folks are apt to be impatient. It needs the finest manners to keep them free from the appearance of showing that they have anticipated your explanations. They are very likely to be a trifle annoyed at overfullness of statement, just as a slightly deaf man is at your speaking too loud."

"I think," said Vincent, "it is rather the dull to whom you try to make things a little too clear who resent it as the deaf man does a loud voice. Was not your comparison rather misapplied here?"

"Perhaps so; but it is enough that you understand me."

"I should like to know that woman better," said St. Clair, "and never may. That is the worst of life."

While eating our belated lunch we ran down past Beaver Tail, and then away toward the pretty tints of Gay Head, and at last, crossing over past the beech woods of Naushon, came to anchor in the moonlight in the haven of Wood's Holl. There, on deck, in the calm of a September night (for the north wind had blown itself out), we fell by and by again into chat about the chance companion of the morning.

Lying upon long cushions on deck with our pipes, the water sparkling below us with luminous life, for a while no one spoke, until, at last, St. Clair said: "The wonder to me is how that woman took up the threads of activity and wove anew the warp and woof of life. Was the man she lost worth having?"

"He was of the best," replied Vincent. "A person of resolute character and positive convictions. He entered the army as a private, and was a colonel when he died."

"And she has made herself what we have seen and have heard to-day?"

"Yes," said Vincent; "but she has one peculiarity—at first sight an odd one. She is not very fond of children. Their needs and claims she recognizes, of course, but she prefers to help men and women. I never could understand that in one so tender."

"I think I do," I returned. "She has never again thought of marriage, and the contact with these little ones arouses, I suspect, all the sense of sadness she must have at feeling that the vast instincts of maternity can never be gratified. The sentiment is subtle, but real. Men can with difficulty understand the immense instinctiveness of the true woman nature. When her life is fulfilled in marriage and motherhood, everything tends to cultivate her instincts. In the man's life, everything tends to lessen their influence, and will with the woman, in proportion as she takes to the sterner pursuits of man."

"You are, no doubt, right," said Vincent. "It makes one think of her with renewed pity."

"And how it would all have destroyed some women," said I. "When I write my famous book on the conduct of life, I shall have to consider disaster in its relation to character."

"It gives a man," cried St. Clair, "a horrible sense of responsibility to hear you fellows talk, as if events were nothing and the man everything."

"Why, in your way," laughed Vincent, "you are the most obstinate little rascal conceivable."

"I!" said St. Clair. "I am kicked about by circumstances; I am bullied by events. Experience does me no good, and all the moral tonics disagree with me. My—what do you call it, North?—oh, my idiosyncrasy is tremendously idiosyncratic."

"Oh, stop him," cried Vincent, laughing. "Take his pipe away; do something."

"I am a happy accident. Indeed, I am a series of happy accidents. I never had a real trouble in my life. And how delicious the night is! I am for a swim, and to bed."

Nevertheless, he stood by the mast awhile, and then said, "How stupid it is without women," and then presently broke out in his clear tenor, a voice not very accurate, and of no great strength, but of passionate sweetness:

Good night! Good night! Ah, good the night
That wraps thee in its silver light.

Good night! No night is good to me
That does not bring a thought of thee—

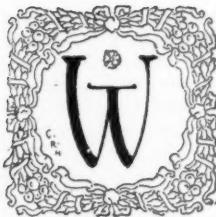
Good night!

Good night! Be every night as sweet
As that which made our love complete;
Till that last night when death shall be
One brief good night for you and me—

Good night!

A minute later the singer went overboard into the glory of luminous gold, amidst which he swam, laughing out his joy as he smote the water into light. The next day we left Vincent and returned home together.

THE JEWS IN NEW YORK.—II.



EDDING customs among the Hebrews in New York exhibit considerable variety. Parties to the matrimonial contract are not infrequently brought together through the agency of a paid negotiator.

Whether in an artificial or in the natural fashion the twain consent to become a dual unit in society, the services of the rabbi are called into requisition. Marriage is not only a civil but also a religious affair, and as such is celebrated with as much of pomp and display as resources may warrant.

In high life, exemplified by wealthy, cultured Sephardim, the marriage of a distinguished rabbi to a beautiful young lady will serve as a specimen of the ceremony among the orthodox. Admission to the floor of the synagogue is by card, to the galleries by favor. The reading-desk on the floor is covered by the "chuppah," or marriage baldachino. It consists of four slender posts supporting a cover of richly figured silk with massive satin fringes. On each side, except the eastern, is an arch of smilax, evergreens, and roses. Ushers are in black frock suits, and wear high silk hats. At 5 p. m. the assistant reader of the congregation chants the psalm of thanksgiving in Hebrew, to which responses are made by a trained choir in the gallery. Next, the ministers, chief among whom is the venerable father of the groom, descend from the platform and approach the door as the bridal procession enters. Returning to places within the chuppah, they are followed by the bridegroom, supporting his mother on his arm. The bride follows, accompanied by her mother, brother, and an old nurse, who, like those of her race in the West Indies, is faithful in solicitous attendance to the last. Eight little children, cousins of the bride, bearing baskets of flowers, come last.

Pure white satin is the dress of the lady, who is covered with a diaphanous veil, and carries a bouquet of flowers. Face to face with the bridegroom, she stands composedly, while the ritual is read. The first cup of consecrated wine, to be sipped by groom and bride, is then presented. If the obligations of matrimony are not

now understood by the quietly happy pair, it is not the fault of the officiating rabbi, whose long but sterling address in English is punctuated by apt Hebrew quotations. Wifely and husbandly duties are set forth with great force and precision. The officiating minister then takes a glass of wine in his hand and pronounces the seven prescribed benedictions. Bridegroom and bride taste the wine, and thus symbolize participation in the joys and pains of earthly life. The wedding-ring—plain and unadorned, as the emblem of simple contentment, perfectly rounded, as signifying concord in endless union—is placed on the bride's finger by the groom, with the words, "Behold, thou art consecrated unto me by this ring, according to the law of Moses and of Israel." Reading the "Kethubah," or marriage contract, as formulated by the fathers, is omitted, for the sufficient reason that it has already been subscribed in private. Now comes an interesting performance on the part of the newly wedded husband. The goblet from which he and his wife have drunk is deposited on the floor, and by his foot is crushed into a thousand fragments, and that with a vim that speaks eloquently of his resolve to put his foot on any and all evils that may enter the family circle until death shatters it.¹ The first kiss under the new relation is then given, the bridegroom offers his arm to his spouse, and with a proud air of responsibility leads the willing yokefellow from chuppah to entrance, and thence home to the wedding-feast.

Divorce—a rare evil among modern Israelites—in the foreign population of New York has been at times so distinguished by unlawful procedure as to call for notice by the Grand Jury. Certain Slavonic rabbis have been in the habit of granting ecclesiastical divorces to ignorant adherents, who, assuming them to be valid in civil law, have contracted second marriages. One Polish Jew in this predicament was indicted for bigamy. Rabbis are said to have performed the marriage ceremony when they knew it to be legally ineffective, and thereby exposed themselves to the charge of moral, if not of legal, criminality. What the Grand Jury recommended is legislative pro-

¹ Another interpretation of this custom of shattering a glass is that it is to be a reminder of Zion's shattered crown of glory, which even in a moment of the greatest joy may not be forgotten.



A JEWISH WEDDING.

hibition of divorce by ecclesiastics until a valid decree has been issued by a court of competent jurisdiction. The family should be under the protection of national law. To such a proposition no orthodox Jew would object, because, as the Rev. Dr. Kohut remarks, "the law of the country is Israel's law," from the Talmudic standpoint.

Whatever irregularities in respect of divorce may obtain among Slavonic Jews find explanation in the light of civil and religious history. Chastity is the corner-stone of the family institution, and the "sanctuary of morality." "The wife of thy covenant" is the "moving spirit and guardian of domestic bliss." Violation of the marriage vow gives to husband and wife alike the right to divorce. Talmudical authority extends the right in case of other offenses

or events,—some of them absurdly trivial,—and is in shame of laxity similar to not a few American States in this particular. It makes divorce legal, within the limits of civil statute, by giving a bill of divorcement known as "Get." This, if regularly issued, is granted for sufficient cause by a "Beth-Din," or ecclesiastical court, composed of a duly authorized rabbi and three assistants, who act with extreme caution and regard to precedent. It is of no avail if not in written and prescribed form, must be properly authenticated, and put into the hands of the offending person. Rabbinic law presents many obstacles to the practice. "He who divorces his wife is hated before God," "Tears are shed on God's altar for one who forsakes the love of his youth," are sentences that reveal strong repugnance to it. Get is most numerous among

the Slavonic Hebrews, who, maltreated at home, are often compelled to part from wives when emigrating thence. Such separation, though largely involuntary, is Talmudically held to warrant, in mercy to the woman, dissolution of marital bonds. Civil divorce is not binding among orthodox and conservative Jews unless sanctified by the religious ceremony. Things are not always quite so bad as they seem, and, while seldom what they ought to be, often admit the extenuation of circumstance and training. Chief Rabbi Jacob Joseph is said to have rendered excellent service by suppressing ignorant and illegal divorce practices.

Family life exemplifies many of the sweetest, strongest qualities of human nature, and is especially attractive on the Sabbath. This holy day, beginning at sunset on Friday, is kept sacred, as a memorial of creation, and in acknowledgment of God's goodness in making all things for the happiness of man, by rest from labor, and by consecration of all its hours to religious occupations. Wife and children greet the head with the salutation, "Good Sabbath" or "Shabbath." The matron, in discharge of wifely duties, lights the two long tapers in candlesticks standing on the dining-table as the blessed hours begin. Nor are they put out, except by non-Jews, as the hours advance, but are suffered to burn out. Their soft, cheerful light, radiating throughout the apartments, brightly reveals the "mezuzoth," or little hollow cylinder of lead, brass, glass, olive-wood, or silver, fastened on the right-hand door-post. Not, as with the ignorant and superstitious, is the mezuzoth here supposed to guard the dwelling against malign influences, but to remind the inmates of the obligations imposed by Deuteronomy vi. 4-9. The cylinder or case contains two passages, written upon a piece of parchment rolled up and bearing the word "Shaddai," Almighty, inscribed on the outside. Returning from the synagogue in company with the husband, and assigned to a seat at the table around which the family gathers, males covered, the "Kiddush," or sanctification of the Sabbath, is witnessed by a stranger with the interest peculiar to curiosity. The brief thanksgiving prayer ended, the house-father blesses a cup of wine, frequently made from raisins or dried grapes, and, after drinking himself, passes it round. Bread in two loaves, commemorative of the double portion of manna which fell on the sixth day, and covered with a cotton, linen, or silk napkin, is then brought forward. From these loaves slices are cut, subdivided, salted, and a portion thereof offered to each person. At the meal which follows head-gear is usually laid aside, but is resumed in time for the closing Hebrew prayer. Before the repast, every child, in order of seniority, receives

a blessing from each of the parents, and in many instances learns to look upon this token of parental love as a privilege of priceless worth. What makes the whole more impressive is the host's abstinence from nicotian indulgence. He loves it, but will not kindle any fire that is not imperatively required. Conscientious? Yes. All the meals necessary for the Sabbath are prepared on Friday. No work not absolutely needful is permitted. He has walked half a dozen miles to-day rather than encourage Sabbath desecration by using horse-car or elevated railroad.

The Sabbath closes at starlight on Saturday. *Paterfamilias* (an orthodox rabbi in the instance described) provides a wax taper composed of several strands braided on the flat, holds in his right hand a goblet of wine, and in his left a spice-box of singularly interesting workmanship, being of silver filigree, very ancient, containing aromatics, and kept in the synagogue when not used on special occasions. Wine-cup, spice-box, and taper, as a few cabalists affirm, are emblematic of water, air, and fire. The two former symbolize the Sabbath, the latter the week-day. The family stand around the table while the officiating head chants the "Habdalalah," or prayer of separation, that divides the Sabbath from the secular portion of the week, and pronounces the usual benediction over the wine-cup as his wife lights the taper. Next he pronounces a blessing over the spice-box, takes an exhilarating sniff of its fragrance, and liberally vouchsafes similar privilege to every individual present, not forgetting the cooing baby. Another benediction follows, at which all raise their hands and look at the fingers in recognition of the obligation to devote all the senses to secular duty during the following week. The final benediction is now pronounced, the officiator tastes the wine, and wets his eyes with a little of it, saying, "The commandment of the Lord is pure, enlightening the eyes" (Psalm xix. 8). Then, spilling part of the remaining wine into a plate, he receives the taper from the hand of his wife, quenches it in the vinous liquid, and thus ends the ceremony.

Every male child of orthodox parents is publicly or privately circumcised on the eighth day; that is, seven complete days after its birth. The "mohel," or operator, uses modern instruments instead of the clumsily contrived implements of less scientific ages. Rosenberg and Wolff gratuitously refer the origin of the rite to Abraham's discovery that universal life-giving influence emanates from the one God, creator and preserver of all animate beings; and that it is human duty to coöperate with his actual energy in the multiplication of the species. Formal covenant between the patriarch and the Deity ensued, of which covenant circumcision is the sign. Not only is it a sign and seal of the

covenant, and a rite of great hygienic value in Oriental countries, as many eminent scientists have demonstrated to their own satisfaction, but it also possesses profound ethical significance in that it is intended to sanctify procreation, and to place the stigma of divine disapproval upon the unhallowed exercise of

In the event of sickness that may or may not be likely to end fatally, submission to the divine will, coupled with wise use of remedies, is enjoined. If the latter are of no avail, the dying one and the friends around him, or they without him, close his earthly career with that sublime declaration of divine unity: "Shema,



THE HABDALAH.

natural powers. Biblical theologians, whatever their opinions as to the date of this non-natural usage, unite in affirming its covenantal character under other relations and with purely moral ends in view. By some of the reformed Jews circumcision is regarded as anachronistic. Girls are named in the synagogue, which it is the first duty of the mother to attend after her convalescence.

"Pidyan Ha-Ben," or the redemption of the first-born, is the consecration of the boy by his mother to the service of God, and his redemption by the father, who pays the Cohen, or priest, a definite but nominal sum of money, which is subsequently devoted to religious or charitable purposes.

Circumcision in orthodox families is followed by thoroughly religious legal education, reiteratively imparted by parents to their children. Whatever else may be omitted, this, as a rule, receives conscientious attention.

Yisrael, Adonai Elohenu Adonai Echad" (Hear, O Israel, the Lord our God is one Lord). Covering the face when the soul has departed, the attendants wash the body about an hour afterward. In the case of almost all Jews, the dissolution of alliance between the celestial elements and the material body is denoted by a lighted taper (as the symbol of immortality), a hygienic vessel of water, for ceremonial purification, and a napkin or towel. "Tahara," washing or purification, shortly precedes the funeral, and is usually performed as a privilege by volunteers. Shroud is of plain linen or cotton, coffin without ornament, and burial without ostentation, because death levels all distinctions. Therefore poor and rich are entitled to the same respect, and the embarrassment so often occasioned by costly funerals is avoided. The last look upon the remains is customarily accompanied by a slight rent in the breast of the mourner's garment, to express

grief. When the coffin is deposited in the grave, the bystanders ejaculate, "May he [or she] repose in peace." Near relatives and friends, in succession, throw earth into the excavation, repeat the ninety-first Psalm, and then return to their homes. Among the reformed Jews, and with many of the orthodox, the funeral concomitants are of similar style and costliness to those of Christians.

Wailing for the dead in a purely orthodox Jewish "house of mourning" is inexpressibly sad, and clamorously voices a sorrow which, like that of Rachel, refuses to be comforted. "Shiva," or the seven days of mourning, begins when the domicile is reached. During this period, unless unavoidable necessity compels, the bereaved do not quit the dwelling,

of divine sovereignty, and an avowal of resignation to the All-Perfect Will. "Yahrzeit" (year's time) is the anniversary of the parent's death. On the evening preceding, a light is kindled in the house, and kept burning until the following sundown. Synagogue service in the morning and evening is also attended, and the *kaddish* recited. "Nahala" (inheritance) is the poetic equivalent of the Spanish and Portuguese Jews for the Teutonic *Yahrzeit*.

Jewish law requires separate cemeteries, but is not invariably obeyed. The first Hebrew purchase of ground in New York for God's acre was, it is said, at the corner of Gold and Jacob streets. The second was made in 1681, and consisted of a plot of which a part may



CONSERVATORY OF THE
MONTEFIORE HOME.

or attend to any ordinary vocation. Minyan assembles morning and evening, and prayer is offered for the repose of the deceased. Friends pay visits of condolence, and deeds of beneficence afford some relief to anguish. Including the Shiva, and following it, is a general mourning of thirty days,—of twelve months for a parent,—in which is total abstinence from festivity or pleasure. Throughout the year of mourning for a parent the bereaved of both sexes attend every service of the synagogue, and recite aloud the *kaddish*. Standing in sable garments while others sit, they repeat what is not a prayer for the dead, but a eulogy

yet be seen at what is now Oliver street and the Bowery, in the very heart of the busiest district. Burials are chiefly in Cypress Hills, Bayside, Machpelah, Washington, and Mount Nebo cemeteries on Long Island. In each of these is a section exclusively appropriated to Hebrews, and in this section are plots owned by chevras, lodges, and private families. Charity supplied 550 resting-places to coreligionists for the slumber of their dead in 1890, thus sparing them from the shame of begging, perchance in vain, for a few square feet of soil in which the loved might lie, and the dead from the disgrace of promiscuous sepulture in the Potter's Field.

German originality is credited with the dictum that "men are what they feed upon"—"Der Mensch ist was er isst" (Feuerbach);

that in physique, mind, and morals they are modified by means of subsistence. If eaters of "flesh, with its soul, its blood," or its "life" (Leviticus xvii. 14), they acquire somewhat of the characteristics of the animals devoured. For this reason it is conjectured that blood is prohibited by Genesis ix. 4, Deuteronomy xii. 16, and unclean beasts by the Mosaic code. Impurity of body is believed to engender impurity of spirit. Dietary rules are directed to the development of normal life in body and spirit.

Whatever may be the menu of poorer Jews in this and other lands, it is certain that the utmost care is taken to provide clean, lawful, or wholesome and nutritious flesh for all who can afford to pay for it in New York. One of the largest abattoirs in the city, covering an ample block, owned and operated by men of Jewish race and faith, is remarkable for its smooth and effective working and admirable distribution of parts. An average of eight hundred cattle, between three and five years old, pass through it in each of the business days of the year. Arriving from the West at the river-front, they ascend one by one to the fateful inclosure, where an adept employee fastens a chain around the hind leg of each. Hoisted by machinery, the bovine falls gently upon one shoulder, and in most instances without a cry. Occasionally, however, some brute, maddened by sight and smell of blood, breaks out into the slaughter-house, and creates disturbance that is speedily quelled by its own despatch. Submissive companions, with neck twisted to expose the throat, quickly feel the shochet's long and shining knife. The shochet himself is a stalwart fellow, cool and wary withal, who rarely makes a useless motion. He is a religious man and of good moral character, as his license from Rabbi Jacob Joseph, chief of certain orthodox congregations in the metropolis, avouches. The lifestream in torrents follows the movement of his blade. This is "shechita," the killing. It insures complete effusion of blood, in which may be germs of disease that otherwise might find entrance into human bodies. Next follows "bediqah," the examination of instrument and victim. If a nick appear on the keen edge of the knife, that by extremists is held to imply unnecessary suffering, injurious chemical change, and consequent unfitness of the carcass for market. If there be none, lungs, liver, and heart, the entire body indeed, are minutely inspected. Organic lesion, purulent deposit, inflammation, or bone fracture, is at once detected, and condemns the whole as "trephah," or unclean, and inedible by the faithful. But necessity knows no law. The impecunious faithful in vociferous pursuit of garbage-cart, or reclaiming offen-



IN A JEWISH SLAUGHTER-HOUSE — EXAMINING THE KNIFE.

sive meat from malodorous dump, until the drenching with sludge acid made it abhorrent even to the stomach of a jackal, have been too familiar to the eyes of sanitary officials. Even now, in the locality mockingly styled the "Pig-market," seemingly for the reason that pork is never sold there, deliquescent peaches at a cent per quart, eggs in various stages of antiquity, frowzy chickens, and dumbly protesting geese in halves, quarters, and eighths, cuts of beef and mutton at prices whereof the avenues never dreamed, condiments and sweetmeats foreign to all other civic quarters, poison while they prolong existence that would otherwise end through sheer inanition.

A tag affixed to each half of a beef in the abattoir is proof of its gastronomic value. Christians, as well as Jews, attach great importance to this silent token, and therefore non-Jewish purveyors are often wont to employ shochetim, or the shochetic methods.

Not less care is exemplified in killing other quadrupeds and fowls. Ultraists adhere to antique regulations, held by the best Jewish authorities to be binding only under conditions in respect of which they were made. Yet very

many are the Israelites who now deny themselves the privilege of cooking on winter Sabbaths, of masticating sirloin, rump, or porterhouse steak, because inhibited by law, and of enjoying oysters, lobsters, or shrimps because forbidden by Leviticus xi. 10.

That the sumptuary regulations of the rabbinical code tend to healthfulness and longevity, as well as to separation from other races and religions, is less clear than is generally imagined. The "United States Census Bulletin, No. 19," on the "Vital Statistics of the Jews in the United States," covers a period of five years in the experience of 10,618 Jewish families, of whom 3996 kept no servant, and 6622 kept one or more, out of a total of 15,000, and including 60,630 persons scattered all over the country. These answered scheduled inquiries, distributed by special agent A. S. Salomons, which sought to ascertain the rate of marriages, births, and deaths per thousand of the Jewish race. Some curious facts were elicited, and among them that in 1880 the proportion of Jewish males to females was 109.53 to 100 as against 103.57 males to 100 females of the general population; that the annual marriage-rate is only 7.4 per 1000, while the average rate is 18 to 22 per 1000 in the Northeastern States; that the average number of children to Jewish mothers of American birth is 3.56, of German 5.24, of Russian and Polish 5.63, Hungarian 5.27, and Bohemian 5.44; that 103.16 males are born to every 100 females in these families, and that the average birth-rate is 20.81 per 1000, which is lower than that of the Aryan or African population.

Of 18,115 males whose business is reported, 14,527 were traders, bankers, bookkeepers, clerks, etc., 84 laborers, and 383 agriculturists. The annual death-rate for the five years was 7.11 per 1000, or little more than half that of other people of similar social class and condition of living in this country. The average expectation of life is considerably higher. Loss by death from diphtheria, diarrhea, diseases of the nervous system, and especially of the spinal cord, diseases of the circulatory and urinary systems, bones, joints, and skin, has been greater than that of non-Jewish neighbors; while mortality from tubercular diseases, including consumption, scrofula, tabes, and hydrocephalus, has been less than that of other peoples with whom they have been compared. Of the 60,630 persons in these Jewish families living on December 31, 1889, 617 were reported as sick, and 202—including the insane, blind, deaf, maimed, and crippled—as in some way personally defective. The proportion of Jews affected by disease was 10.17 per 1000, while of the population of Massachusetts in 1885 it was 7.47. For Jews over 15 years of

age it was 14.22 per 1000; for the United States in 1880 it was 12.75 per 1000. Extended and trustworthy statistics of births and deaths in all sections of the city of New York, and indeed of the country, are indispensable to determine with anything like accuracy the relative health and longevity of our Jewish fellow citizens. The general conclusion is that while the marriage-, birth-, and death-rates are less than those of their neighbors, the birth-rate is decreasing and the death-rate increasing with prolonged residence in this country.

No people are more keenly alive to the advantages of thoroughly available education than the Jews. Biblical and Talmudical writers emphasize its value. The destruction of Jerusalem is by some of the latter referred to the neglect of youthful instruction. There are fewer truant children among the Hebrews, relatively to their number, than among other racial constituents of the metropolitan body. In the primary and in the grammar schools, in the New York Female College and in the College of the City of New York, the proportion of Jewish students is remarkably large, and their comparative scholarship no less noticeable. In mental arithmetic they take the lead. Aptitude for pecuniary calculation is organized and hereditary.

While antagonism between pupils of different race and faith will almost inevitably spring up, there seems to be as little of it between Jews and Christians as between Protestants and Roman Catholics. Nay, less—owing to the similarity of ethical culture. In private schools the repugnance is more manifest, and is on the part of parents rather than of children. Jewish parents do not object to coeducation of their progeny with that of non-Jews. Many professed Christians oppose it. An able and experienced woman teacher, author of an esteemed volume on the education of girls, and the proprietor of a private school, suffered reduction in the number of her pupils, among whom was the daughter of a cosmopolitan Christian editor, from 110 to 60 or 70, because she admitted Jewesses. Where reasons for the withdrawal of patronage were assigned, it was evident that the caste spirit, as well as alleged objectionable peculiarities in the Semitic damsels, did much to formulate them. Private Hebrew seminaries are not open to the same objection, perhaps because admission into even the best of them is not generally desired. No American boy or girl, whatever the ancestral extraction, would wish to become a pupil in any of the private Jewish schools so numerous in tenements and synagogues east of the Bowery. Unclean, overcrowded, saturated with the fumes of cooking food and burning tobacco, and sometimes perilous from the prox-

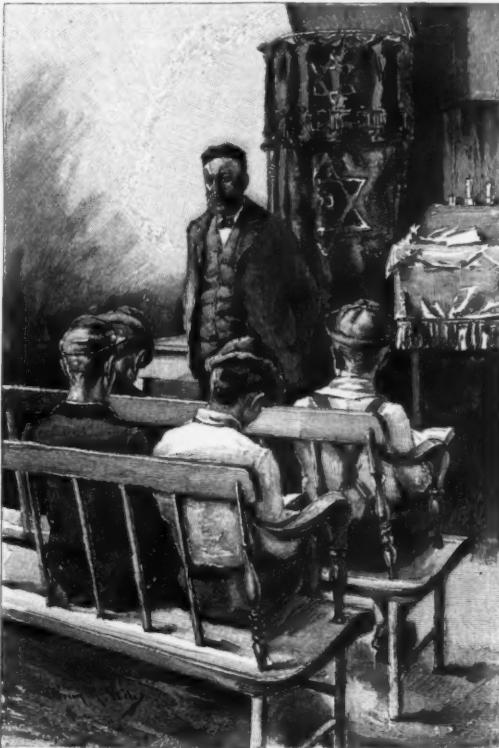
imity of contagious disease, they are further distinguished by laxity of discipline, inability of the Russian or Polish pedagogue to speak English, and the harsh gutturalism of his Hebrew or Jüdisch-Deutsch.

Religious tuition at Israelitish expense is imparted to children in the establishments of the Hebrew Free School Association at No. 624 Fifth street, 206 East Broadway, and 244 East Fifty-second street. School sessions are from 4 P. M. to 6 P. M. on secular days, and from 9 A. M. to 12 M. on Sabbaths. At the second of these institutions 749 girls and 376 boys were in attendance on February 1, 1891. Each sex is divided into five grades, of which the instruction is religious. That of the highest includes prayers, Bible, and catechism. Recitations of Hebrew in concert, followed by excellent English translation, are verbally perfect, and deeply imprint lessons on the memory. The pupils are all from the public schools. So are many of the teachers. Inspired by earnest purpose, and enthusiastic withal, the whole seem happy in their work. Teaching and reading are phonetic. Names of letters, vowel-points, and other signs are committed to memory as the scholar advances.

In the kindergarten is a reproduction of fairy-land, with tokens of bad air, hard fare, and rough experience upon the fairies. All are forgotten, however, in the excitement of rhythmic motion, song, and juvenile histrionics. The "Snow-storm" is a favorite performance, all the more acceptable because a sheet of filmy gauze does duty for descending snowflakes.

In the schools the girls are taught sewing, dressmaking, embroidery, and other feminine arts. Some boys in the industrial school promise great proficiency in wood-working. Both sexes would do better if complaints of vitiated air and defective ventilation had not such frequent and firm foundation in fact.

The Louis Down-Town Sabbath and Daily School, 267 Henry street, a specimen of several kindred institutions, is on Sabbaths attended by over three hundred Jewish girls, mainly of Slavonic parentage, whose recitations in English, of decalogue, prayers, and hymns, are wonderfully fluent and fitting. Charity here is practical and judicious. The hungry are regaled on bread and milk, the needy covered with shoes and clothing. Employment is found for graduates prepared therefor by training in the



STUDYING THE TORAH.

technical branches of millinery, designing, and the ordinary branches of an English education. Nor is this the only industrial school under Hebrew management in the city. In all of them religion of the Judaic type plays a prominent part.

Talmudic study of the Torah is the specialty of several schools; also of Hebrew Talmudical Literary Associations, composed principally of young men. The "Machzikay Talmud Torah" (Supporter of the Study of the Law) Academy, at No. 227 East Broadway, is the embodiment of traditionalism striving to perpetuate itself through future generations. About fourteen hundred lads, mainly of Slavonic antecedents, nearly all poverty-stricken, and dependent upon Hebrew beneficence for clothing, are there conducted by twelve teachers through four years' study of the Old Testament as viewed from Talmudic standpoints. The history, philosophy, theology, and ceremonials of the Jewish Church are also included in the curriculum. Mosaic legislation receives minute attention. Fifty boys were in the ninth, and forty-eight in the alphabetic, class, differing numbers making up the intermediate classes, in May, 1890. Reading and writing in square and rabbinical characters

are taught. The school is in the ninth year of its progress. Promising pupils may pass thence to the public schools, College of the City of New York, or Hebrew theological seminaries, where they are finally qualified to assume the duties of the rabbinate.

Familiarity on the part of the Jews with the letter and spirit of the Old Testament, as rabbinically expounded, is truly marvelous. Not a few of the orthodox Jews can repeat the contents of the sacred books without omitting a word. Were every copy thereof destroyed, the Jews in New York do not vainly affirm that they could produce several perfect copies, from memory alone, within the space of twenty-four hours. Accurate memorizing of the Talmud is well-nigh as wonderful. Forty Russians and Poles, it is said, might be selected who could repeat the whole.

Whether the results of such diligent application be sufficiently valuable to compensate for the time and energy expended in acquiring them is almost exclusively a Jewish question. Devotees think they are. The subject of study is unquestionably ancient. The Midrash on "Shir ha Shirim Rabba," the Song of Solomon, and elsewhere in Oriental hyperbole declares that the Torah "had really existed two thousand years before creation; the patriarchs had their academies of study, and they had known and observed all the ordinances; and traditionalism had the same origin, both as to time and authority, as the Law itself." This is certainly an impressive way of teaching that inasmuch as the object of creation is to make earth the abode of human happiness, the Law, as an indispensable guide thereto, must always have been in existence. Jewish orthodoxy believes the oral to be equal to the written law in weight of authority — nay, indeed, to be superior, as voicing the concurrent opinions of accepted expositors. It guards the sanctity of the written law by extending and adding to its provisions — drawing a "geder," or hedge, around its "garden inclosed." "An offense against the sayings [enactments] of the scribes is worse than one against those of Scripture."

"Moses," declares the *Pirké Aboth*, "received the law from Sinai, and delivered it to Joshua, and Joshua to the elders, and the elders to the prophets, and the prophets to the Men of the Great Synagogue." Compiled by *Jehuda Hanassi* in the second century of the Christian era, and denominated the "Mishna," or Second Law, it gave rise to erudite commentators whose expositions are styled the "Gemara," Mishna and Gemara constitute the Talmud, but some writers restrict the term to

the Gemara alone. Of the Talmud there are two editions: that of Jerusalem, edited by Rabbi Jochanan A.D. 370, and that of Babylon, edited by Rabina and Rab Asa in 375–427. The exegete of either or both is the *Talmid*.

Divided into six "sedarim," orders; 62 or 63 tractates ("massekhot," textures, webs); 525 "peraqim," chapters; and 4187 "mishnayoth," verses, containing the "Halakhah," or traditional regulations by which the fathers walked and which the children are obliged to observe, "they," Edersheim remarks, "provided for every possible and impossible case, entered into every detail of private, family, and public life, and with iron logic, unbending rigor, and most minute analysis, pursued and dominated man, turn whither he might, laying on him a yoke which was truly unbearable," — a yoke, however, which the Jews declare is now and always has been borne gladly and unmurmuringly by millions of coreligionists, — and promising him knowledge, righteousness, and reward in return for obedience. Which foot to put out of bed first, how to wash a pocket-handkerchief, and how to compound medicines that remind the reader of the witches' hell-broth, are matters by no means too trivial for the Talmud. "If," says Edersheim, "we imagine something containing law reports, a rabbinical 'Hansard,' and notes of a theological debating-club, — all thoroughly Oriental, full of discussions, anecdotes, quaint sayings, fancies, legends, and too often of what from its profanity, superstition, and even obscenity, could scarcely be quoted, — we may form some general idea of what the Talmud is." "One half of the Talmud ought never to have been written," is the dictum of an erudite and cultivated rabbi in New York. In the estimation of another it sustains a relation to Judaism similar to that of the daily press to Christianity. Neither is a trustworthy exponent.

The Jerusalem Talmud extends over 39, the Babylonian over $36\frac{1}{2}$, of the 63 Mishnic tractates, of which $15\frac{1}{2}$ have no Gemara, or Comment, at all. The Babylonian Talmud is four times larger than the Jerusalem, and ten or eleven times larger than the Mishna. The first is written in the eastern, the second in the western, dialect of the Aramean language. Both discuss the Mishna clause by clause. Beautiful and sublime passages, "brilliant diamonds in heaps of cinders," sparkle on their pages.

The "Torah," Law, contained in the Pentateuch, is the corner-stone of Judaism. "Kabbalah" (that which has been received) comprises the teachings of the prophets, the Hagiographa, and the oral traditions.¹ "Ha-

¹ The teachings of the prophets and the Hagiographa are sometimes referred to by the rabbis under the same designation as that applied to the traditions. *Pirké*

(chapters) *Aboth* contains the characteristic ethical "Sayings of the Fathers," known as the "Tannaim," or doctors of the Mishna, which are wholly Haggadic.



DRAWN BY A. CASTAIGNE.

ENGRAVED BY H. DAVIDSON.

UNITED HEBREW CHARITIES—WAITING THEIR TURN.

lakhah" (that which has been heard—that is, delivered as law) is legally obligatory; "Haggadah" (that which was said) owes its force to individual authority, and not to legal ordinance. The latter is illustration, commentary, anecdote, clever or learned saying, etc. Midrash is the sacred study of Halakhah and Haggadah, and also the utterance of the student upon any portion of his subject. The edifice in which this study is pursued bears the title of Beth Hammidrash. Bo-rathas are traditions external to the Mishna, Tosephoth are additions to it.

Critics differ widely as to the value of the Talmud. The main body of Jewish theology and ethics is only Haggadic, and therefore not of absolute authority. The Halakhah is painfully punctilious about outward observances, but leaves the "inner man, the spring of actions, untouched." What is to be believed and experienced is chiefly matter of Haggadah. Israel, as a whole, has often made void the law through his traditions—has crushed the life of religion by imposing an enormous burden of rites and ceremonies. Yet his prophets were not legalists, nor are many of his teachers today. There are numbers of "just and devout" men among his descendants, who wait "for the consolation of Israel" (Luke ii. 25), and upon whom the Holy Spirit abides.

Study of what is essential in the Torah as the law of humanity has, under God, glorified martyrs like Rabbi Akiba, inspired all that is vital in Islam, and clothed the Karaite Jews with pure morality. Talmudic study of the Torah has ever been one of the firmest bonds of Jewish Church and nationality. Wherever it has failed to lay hold on the spirit, and stubbornly restricted itself to the letter, it has created bigots and fanatics. That "the Torah will never be exchanged for another" may be wholly true; but Christians hold it to be none the less certain that its religious and ethical teachings have been supplemented and perfected by those of the New Testament. Despite the closest addiction to the Talmud, Judaism is modified by, while to some extent modifying, Christianity. It begins to claim inheritance in Jesus of Nazareth, the grandest scion of the Abrahamic stock; it rejoices to number professors of the Christianity of Christ among its true though dissenting friends; it recognizes Christianity as the "daughter religion," and its basis to be the commandment, "Love thy neighbor as thyself" (Leviticus xix. 18). It no longer hesitates, through reformed rabbis like the Rev. Dr. K. Kohler, "to recognize in Jesus of Nazareth and his apostles the greatest harbingers of light for the heathen world. We readily acknowledge him to have been one of the world's sweetest preachers, one of Israel's loftiest pro-

phefts, one of the great redeemers of the lost and forsaken of the race, one of the noblest teachers of morals that ever lived"—and yet "but a Jew, after the model of Hillel or Philo." Others of orthodox sentiment class the "Man of Nazareth" with Socrates, Zoroaster, Gautama, Confucius, and Mohammed, chosen instruments to lead humanity from idolatry to the one true God. The Christianity of to-day, they contend, is not what Jesus taught and practised. Until it shall return to the original type, which they say included the observance of all Mosaic law, their attitude of obstinate refusal to become Christians, "or even to approach the younger faith," will remain unchanged. Intelligent Judaism declares that the cause of atrocious persecutions endured by its adherents "was by no means the teachings of Christianity, which recommends love to every one, but the ignorance, coarseness, and animal passions of fanatic priests and mobs."

The animus of this deliverance will help to separate the precious from the vile in Jewish literature, and add it to the common stock of religion and ethics. The "Jewish Home Prayer-book," issued by the Jewish Ministers' Association of America, thankfully points to the design of the Almighty, "that all classes and all ages might learn that the Torah is for them in common," and that the first recipients of it were appointed to be "its interpreters unto all mankind."

Sunday-schools have been organized by many Jewish congregations in New York. Neither thought, pains, nor labor is spared to make them efficient agents of Judaism, orthodox and reformed. Pedagogical instruction by about a dozen paid agents, whose normal qualifications are ascertained by strict examination, is distinctive of that in the Temple Emanu-El. The accomplished chief rabbi is deeply interested in its prosperity, and does not hesitate to invite any friendly Christian minister to address it. In common with enlightened philosophers of all faiths, the thinkers in this synagogue believe that the gathering of Jews from all lands into the city, and their subsequent education under conditions of perfect equality before the law, portend some great development of divine providence, and more rapid up-building of the kingdom of God.

To the latter the Jewish Theological Seminary, now humbly domiciled at the Cooper Union, is enthusiastically consecrated. Formally opened on January 2, 1887, by representatives of conservative congregations, it is differentiated from the Hebrew Union College at Cincinnati, which has graduated many liberal reformed rabbis since its organization in 1875, by concord with the consensus of historical Jewish beliefs, based on the Bible and expounded by Israelitish sages. Mishna and

DRAWN BY A. CASTIGLIONE.

AN URGENT APPEAL.



ENGRAVED BY C. STANT.

Gemara, Midrashim and Schulchan Aruch, find conspicuous position in present teaching. Five professorships, whose functions for the most part have hitherto been ably exercised by the Rev. Drs. S. Morais, G. Lieberman, B. Drachman, and A. Kohut, are projected. Most of the students, numbering over thirty, are poor, and of Slavonic birth or ancestry. Character and culture, orthodox faith, desire to perpetuate "true Judaism as a system of right living, based upon the revealed will of God," acquaintance with the Hebrew language and learning, and ordination, are, in this institution, prerequisites for the rabbinate.

Just as solicitously are the 145 youths, more or less, daily convening in the Hebrew Technical Institute, Nos. 34, 36 Stuyvesant Place, trained for industrial usefulness. The most impressive feature of this institution, as seen on a casual visit in the winter of 1890-91, was the class of eight or nine boys in working costume, perched at ease on work-benches, and eagerly absorbing a lecture on electricity from a spectacled young man whose person bore the tokens of ancestral want and hardship, but whose speech was pointed, concise, and instructive. It may in part be due to his exertions that the alumni have established an organization known as the Franklin Electric Society. Nearly all the instruments in use, such as dynamos, tangent galvanometer, etc., were constructed by the pupils.

To Dr. Henry M. Leipziger, Assistant Superintendent of Public Schools in the city of New York, and an able corps of assistants, great credit is due for the admirable exhibit of school work at the Hebrew Educational Fair in 1889. The booth was built by their pupils, and its walls were decorated with carvings and

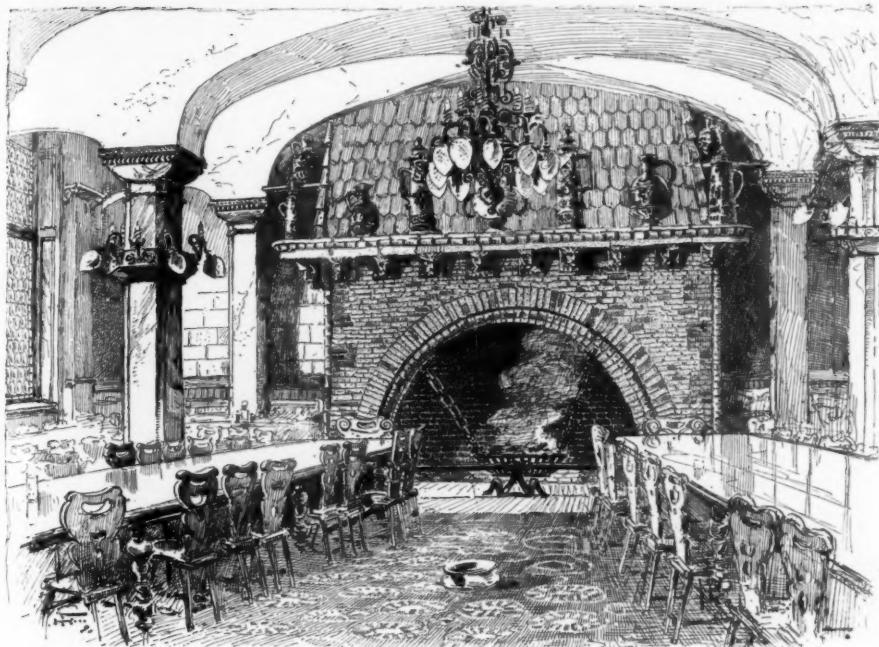
drawings by their hands. Tables were covered with specimens of their skill in wood and iron. At the lathes, constructed from patterns which they themselves had made, deft artisans turned formless lumber into geometrical shapes; and at the benches nimble mechanics used hammer, saw, and chisel. All had been taught the scientific principles pertaining to their practice. At present it is thought that fully one hundred graduates from the Hebrew Technical Institute are at work in various mechanical workshops. Demand for their services, because of excellent training and habits, is steady. Endowment for the school is asked of its patrons, and would increase its utility. Receipts for the calendar year 1890 amounted to \$13,125.99, and expenditures to \$16,645.38.

The Hebrew Free School Association, Aguirar Free Library Society, and Young Men's Hebrew Association, together constituting the Hebrew Educational Alliance, will soon be installed in the handsome and serviceable edifice known as the Hebrew Institute, on Jefferson street and East Broadway, by which all the requirements of sanitary science are satisfied. Ample room for select and general assemblies is provided. Library and reading-room, gymnasium, workshops, cooking-school, baths, etc., are also instruments of individual and social improvement. Hither the industrial education carried on at No. 58 St. Mark's Place is to be transferred—an education by which more than two hundred girls are taught the mysteries of sewing, dress-cutting, fitting, and drafting according to the Taylor system. Their embroidery is of such excellence that it has repeatedly captured prizes offered by the Society of Decorative Art.

What is true of the private and communal schools may also be predicated of those connected with the eleemosynary institutions of the Jews in New York. That of the Hebrew Benevolent and Orphan Asylum Society—which also extends the scope of its beneficence so as to embrace charity and relief, the Hebrew Technical Institute, education, orphans' estates, life insurance, and bequests—is a distinguished example. The Orphan Asylum, located on One Hundred and Thirty-eighth street and Tenth Avenue, domiciles over 550 full or half orphans, principally boys, between the ages of four and fourteen years. Rudimentary manual training is part of their education. The drawing-classes do enviable work. Instruction is thorough. Sanitation, notwithstanding 110 boys in one



IN THE ELECTRICAL ROOM OF THE TECHNICAL INSTITUTE.



CAFÉ OF THE PROGRESS CLUB.

dormitory, is admirable. The hospital, with relatively few patients, is isolated. The synagogue, large, neat, inviting, is accessible to all. One cannot but admire the genius of ritualistic churches for acquiring valuable and beautiful possessions. This property is in fee simple, runs down to the North River, and has, for the delectation of those who delight in magnificent scenes of land or water, a spacious dining-room that commands the finest views of any refectory in the city. Boys enter in military order. Soldierly style is the product of five drills every week and an exhibition drill on Sunday. In the civic and industrial parade of May 1, 1889, the Orphan Asylum was represented by a battalion of six companies, composed of 300 lads under thirteen years of age, headed by a band and a drum and fife corps. On the ensuing Thanksgiving Day they proudly received from the hand of General William T. Sherman a beautiful banner, in recognition of their high military bearing and regular marching.

Oratory of no mean order was also illustrated by the boys who were chosen speakers on that occasion. The Rev. Dr. H. Baar, Rabbi of the Asylum, has been its superintendent for more than sixteen years. His brief, pithy, and telling lectures are such as "strike and stick," and exert permanent influence.

Published works perpetuate his religious and ethical teachings. Immensely popular with his juvenile flock, who magnify anniversaries of his birth by presentation of cards, flowers, etc., he includes the amenities of life in the educational program, so that the bright, happy fellows are often unwilling to leave the only home they have ever known.

Professor Ehrlich, collaborator of Dr. Delitzsch in the translation of the New Testament into Hebrew, is an able and learned assistant. Nine boys, between the ages of eleven and fourteen, are members of his Talmud-Torah class, and study Aramaic selections from the Mishna and the prophet Daniel. These are intended to become teachers. The spirit of the institution may be inferred from the aspiration of one of its brightest pupils: "I hope we shall all be one some day." Reformed Judaism is most prominent in the management, and drew from the late Miss Sarah A. Burr the munificent legacy of \$50,000, commemorated by a mural tablet to her memory.

The support of the institution, with its excellent corps of skilled instructors, is from subscription, bequest, and the city treasury; and is at an annual cost of about \$108,500, including the \$25,000 contributed to the United Hebrew Charities.



TEMPLE BETH-EL, FROM CENTRAL PARK.

Jewish women are quite as zealous for the preservation of the ancestral faith as men, and, as members of the Hebrew Sheltering Guardian Society,—whose Orphan Asylum, in near proximity to the one just described, has domiciled 1646 children committed to their care by judicial officers,—are remarkable for sterling business sense and productiveness of deliberate action. Five hundred and sixty-six wards were under their supervision at the close of the fiscal year in 1890. The two hundred girls, more or less, in their branch institution on Avenue A, Eighty-seventh street, will shortly find residence in the building erected for their accommodation, at a cost of \$100,000, close to that already in use on Washington Heights, and formerly known as the "Home and School for Children of Union Soldiers and Sailors." Hungary and Russia furnish a large number of inmates to both establishments. The boys, and many of the girls, as is the case with the beneficiaries in the Hebrew Orphan Asylum, are sent to the public schools, where they obtain an average of ninety-five per cent. in favorable marks. Some

have passed the examination needful to enter the College of the City of New York. But the object of patrons is to qualify them for earning subsistence by trades and other occupations, and to that end special instruction in the Jewish religion and in the rudiments of the Hebrew and German languages is bestowed. About fifty boys are organized as a uniformed fife and drum corps, greatly to their own amusement and the favor of the public. Orthodox Jews, like the late Philip J. Joachimsen, the founder, sustain the enterprise without aid from the State treasury, but with \$65,374 in 1890 from the excise moneys. The annual expenditure is from \$60,000 to \$70,000. All religious aspects are in strict conformity with Jewish laws and usages. Servants are chiefly Slavs and Christians. Equal liberality is evinced in the employment of physicians. Diet, dress, dormitories, school-rooms, and playgrounds are all adapted to the needs of children whose prevalent diseases are of the eye, scalp, and stomach, and whose past privations have often left indelible evidences on generally healthy bodies. The "Golden

Book of Life," in this as in all eleemosynary receptacles, awaits increase of donors' names, and transmits the record of benevolence.

None of the older world-religions surpasses Judaism in the merciful provision made by law for the relief of the poor. One of its proudest boasts is that there are so few Jewish beggars in the streets and paupers in the almshouses. Its living exponents are not infrequently generous subscribers to the charities of other faiths. A forlorn, disabled soldier of Pentateuchal creed, dying in a hospital before the funds collected for his benefit could be applied, occasioned the first systematic arrangement of Jewish mercy in New York—mercy whose resources are now exhaustively taxed by tens of thousands of poor, perishing expatriated ones cast upon them by northern and eastern Europe. Christian philanthropists, such as the late Daniel B. Fayerweather, are not slow to discern the divine spirit of revealed religion when they reciprocate Hebrew liberality by their own munificence to Hebrew charities.

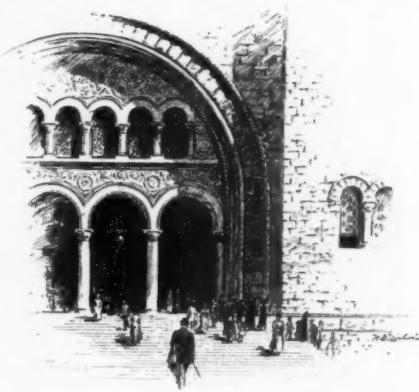
The mind, heart, and hand of revealed religion are excellently manifest in the Montefiore Home for Chronic Invalids, on the Grand Boulevard, One Hundred and Thirty-eighth and One Hundred and Thirty-ninth streets. This is an esthetic architectural adornment to the city, and most welcome refuge to sufferers from any disease that is not contagious, epileptic, insane, or leprous. Built in the hundredth year of Sir Moses Montefiore, in honor of his noble character and universal philanthropy, it is supplied with the best hygienic and surgical appliances, and yields the palm to no establishment in respect of wise adaptation to desiderated ends. Here mercy is exquisitely thoughtful and tender. A sewing-room for convalescent women, and a chess-room for men, together with the tropical conservatory, with its stained glass and invalid chairs for valetudinarians, help to pass the time less wearily. To each patient a separate closet is assigned, and to each ward its own pantry, ice-box, and other conveniences. In the beautiful synagogue divine worship is conducted by a rabbi. Any one desiring Christian ministration may send for priest or pastor. Six times a day is food set before the patients. In the hydrotherapeutic room the sweat-baths for consumptives, rheumatics, and sufferers from heart complaints have been instrumental in restoring seeming incurables to health, or to such physical condition as warrants discharge; after which watchful beneficence continues to minister until satisfied that its subjects are able to earn a livelihood for themselves.

Of hospitals like Mount Sinai, on Sixty-sixth street and Lexington Avenue, and the new Jewish Hospital,—once an Ursuline convent,—New York Judaism is wholesomely productive.

Dispensaries, too, it establishes, and shrewdly charges a small sum for medicines when beneficiaries use or waste too much of what has been dispensed gratuitously. About eighty per cent. of the Mount Sinai patients are of Jewish faith; but those of other religions, or of none, are as freely admitted—a catholic philanthropy acknowledged by a bequest of \$60,000 from Miss Sarah A. Burr. Hygiene is scientific and practical, cleanliness apparent, seclusion secured by screens around the sick, and, when especially required, by separate rooms. Kindness, embodied in the motherly nurse, lays caressing hand on the head of an infantile Judas Maccabæus, and wonders how heartless parents can desert their offspring.

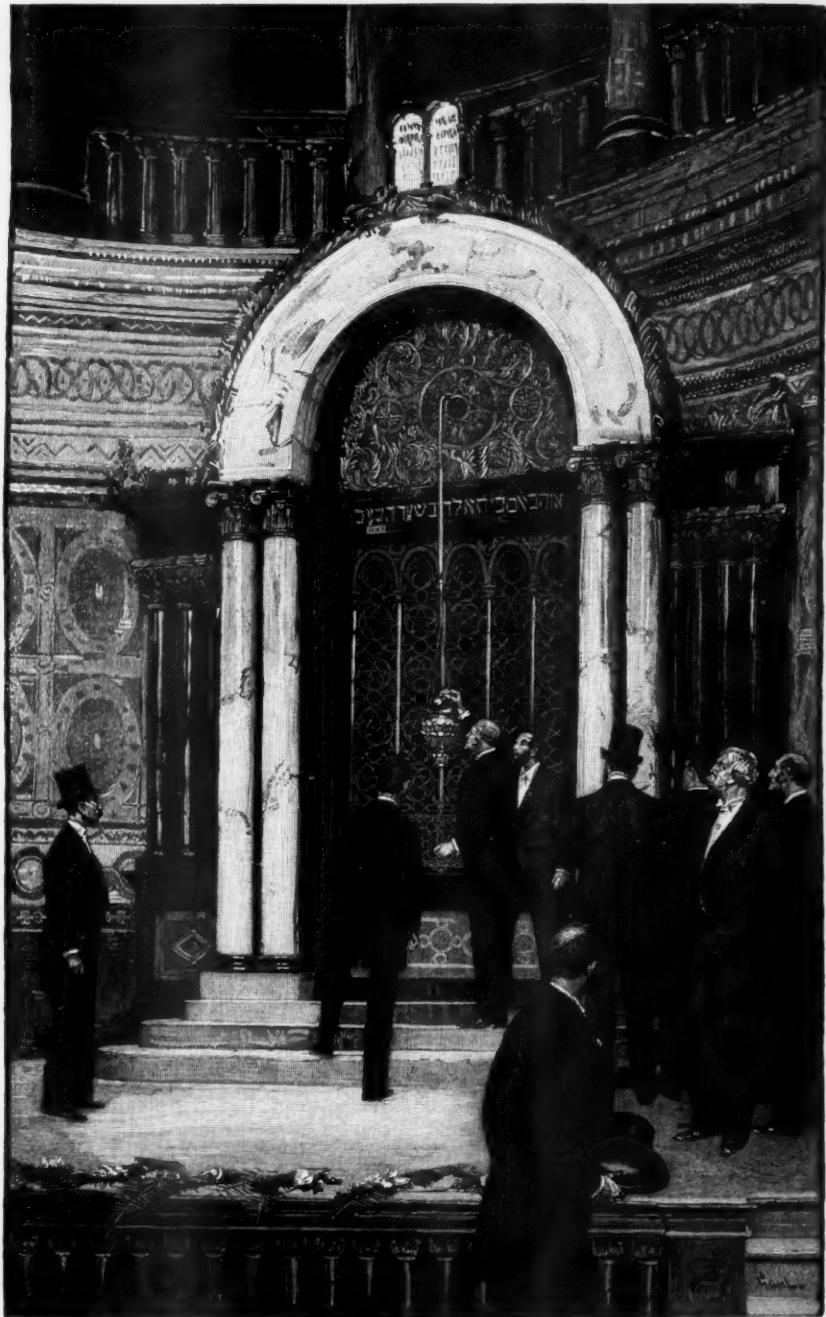
Attached to the hospital is the Mount Sinai Training School for Nurses, of whose twenty-five, more or less, excellent yearly graduates only four or five are said to be Jewesses. Literature and religion are here held to be accessory to curative process. Worldly amusements, too, are not despised as helps to humanity. The fancy-dress ball of February 28, 1889, in aid of this institution, put \$15,158.96 into its treasury.

Of the Home for Aged and Infirm Hebrews, with 142 inmates, on One Hundred and Fifth



PORCH OF TEMPLE BETH-EL.

street, between Ninth and Tenth avenues, the Home for Benai Berith in Yonkers, the Sanitarium for Hebrew Children at No. 124 East Fourteenth street, and also that at Rockaway, Long Island, it is enough to say that in respect of provision, appointment, and efficiency they are on the same plane with the average of Christian enterprises of like character. The Home of the Benai Berith, with upward of sixty inmates, is maintained at an annual cost of about \$17,000, raised by a per capita assessment of two dollars on every member of the order. Residents are not regarded as paupers, but as



DRAWN BY GILBERT CUL.

ENGRAVED BY J. W. EVANS.

LIGHTING THE PERPETUAL LAMP AT THE CONSECRATION OF TEMPLE BETH-EL.

men who by past payments have acquired the right to its advantages.

Foremost among Jewish philanthropic associations are the Down-Town Hebrew Ladies' Benevolent Society, Hebrew Emigrant Aid Society, Ladies' Deborah Nursery and Child's Protectory, Young Ladies' Charitable Aid Society, and Young Ladies' Charitable Sewing Society, all of which are unceasingly active in eleemosynary toil.

Immigrants are mutually helpful. "Chevras," or benevolent societies, composed of people from the same localities in Europe or Asia, are extremely popular. Religion and reciprocity blend in them. The Gemilath Chesed Shel Emeth celebrated in January, 1891, its jubilee of fifty years with much feasting and giving of presents.

The United Hebrew Charities of the City of New York,—consisting of the Hebrew Benevolent and Orphan Asylum Society, Hebrew Benevolent Fuel Society, Hebrew Relief Society, Ladies' Hebrew Lying-in Society, and Congregation Derech Amuno Free Burial Fund Society,—now in the eighteenth year of its singular usefulness, directed by able mercantile and professional citizens, and with judicious economy of resources striving to attain the best results through careful division of labor, is one of the noblest humanitarian organizations on the continent, and compels warmest praise from those who know it best.

Poverty, through immigration and other causes, grows faster than means of prevention or relief. Gifts, subscriptions, fairs, Purim balls, and civic appropriations cannot satisfy its cravings. Its bitterness is intensified by disappointment. New York is not the Ophir or the El Dorado pictured by selfish steamship agents. In the year ending September 30, 1890, applications for relief to the number of 5170, involving 19,143 persons, were received and acted upon. Relief in cash was given to 1043, in supplies to 1719, in transportation to 2959, and in employment to 3833, among whom were physicians, teachers, mechanics, electricians, architects, and business managers, as well as peddlers and artisans. The aggregate of beneficiaries was 28,696. Of Russians 2912, and of Austrians 1131, figured among the recipients. Receipts of the union were \$104,523.83, and expenditure \$105,090.77. Of \$150,000, more or less, received and expended in 1891, the cost of administration was only seven per cent.

The objects of the union are to minimize pauperism, return the deluded and incapable (1204 in 1890) to former abodes, help the ambitious to help themselves, root out superstitious notions, strip off uncouth manners, infuse broad and kindly sympathies, cultivate

cleanly and industrious habits, and implant loving loyalty to their adopted country.

It speaks well for these despised foreigners that their appeals for aid so often take the form of pleading requests for work, that the large majority keep the places found for them, that they quickly become self-supporting in this "country of workers," and that while sometimes charged with incapacity, not one of the 3833 for whom employment was found in 1890 was reported to the office as dishonest.

Into all the plans of the United Hebrew Charities the trustees of the Hirsch Fund have spiritedly entered, and in six months of 1890 at a cost of \$18,858. They aid temporarily the newcomers, but appropriate most of their income to industrial education, domiciliary improvement, and agricultural settlements. Whatever shape the charities take on is in harmony with the reports of competent visitors and expert officials.

"Sisterhoods of Personal Service," originated by the Rev. Dr. Gottheil, zealously supported by the Temple Emanu-El, multiply within the Jewish Church. Pecuniary subscription is not invited, but personal service is earnestly besought. Where this is rendered funds flow into the treasury abundantly. The King's Daughters, "a society of Christian ladies to whom we owe many acts of kindness to our poor," suggested organization to the "Daughters of Israel," whose silver badges, bearing the inscription, "Love thy neighbor as thyself," prompt the visitation of the sick and needy, maintenance of kindergartens, religious and industrial schools and nurseries, rescue-homes for the fallen, and adoption of the most faithful communal and congregational activities. One young lady's sorrow for the little ones in homes of squalor and destitution, and her consequent gifts of picture-books and games, originated in hearing of a miserable waif who utilized a dead cat and an empty tomato-can as toys. The good accomplished by these sisterhoods can hardly be overestimated. Uplifting power through personal service to the fallen is one of the social forces that they are quick to wield. "Through the self-sacrifice and uplifting power of the early [Christian] church a great impetus was given to civilization," is a significant Jewish utterance. Feminine service in this novel yet ancient form is warmly greeted. Rabbinical and lay co-operation is enthusiastic. Danger of overlapping charities is avoided by restriction of each sisterhood to a defined district and by relation to the "Charities" as a kind of central bureau. The latter represents the head and the former the heart of metropolitan Judaism, and both work together in concord.

Public libraries, sustained in whole or in part by Jewish liberality, are creations of com-

mercial instinct, reverence for the past, and preparation for the future. The Aguilar Free Library Association, with depositories of books and current literature at 721 Lexington Avenue, 206 East Broadway, and 624 Fifth street, provides a free reading-room at each point for both sexes, all races, and believers in any creed, or in none. Cozy, warm, and well lighted, the chambers in Lexington Avenue draw more Gentiles than Jews. Among the periodicals on the table are the monthly "Old and New Testament Student" and the quarterly "Hebraica," both edited by Professor W. R. Harper; all the great monthlies, including English and American illustrated magazines; and also journals of political science, the weeklies, etc. Books on the shelves are of similar catholic character. Christian theology is not excluded. About two hundred volumes relate to purely Jewish subjects, and among them the "Guide to the Perplexed" of the great Maimonides is conspicuous in three volumes. Daily readers average 275, of whom about half are Christians. Of the 15,000 volumes in the three libraries, a moiety of the circulation is among the juveniles. Part of those in demand at East Broadway are in Jüdisch-Deutsch jargon. Musical and literary entertainments elevate popular tone and taste, and delight attendant Hebrew and non-Hebrew alike. A civic appropriation of \$5000 per annum aids in this diffusion of educational influence, but does not admit of large augmentation of means. The Maimonides Library of the Benai Berith, in Fifty-seventh street, near Third Avenue, is an independent institution, admirably administered, and circulates between 40,000 and 50,000 volumes every year.

By the very necessities of its nature modern Judaism addicts itself to clubs and beneficent organizations. Of the latter the "Benai Berith," Sons of the Covenant, founded in 1843, and receiving lifelong fostering from the erudite and many-sided Benjamin F. Peixotto, is the most powerful. It aims at the good of the brotherhood and of Israel at large; promotes coöperation in provision for the needs of members and their families in education, philanthropy, and culture; encourages the training of youth in handicrafts, and of men of all ages in agriculture; seeks to convert the exiled immigrants into self-reliant citizens, and to cultivate the amenities of highly civilized society. Confluent Jewish life needed its ministrations. "Minhagim," or rituals, were diverse as the lands whence the ritualists came, and occasioned discussion and strife. Contention spread to the social circle. The emancipated ones, so reformers assert, practised oppression in turn, ostracized all who would not pronounce their shibboleth, and pretended to uphold the

customs and usages of traditional antiquity as an infallible guide for the present and future. But the vast accretions of Selichoth, etc., depicting Israel's sorrows in the deepest colors, and bitterly invoking vengeance upon the oppressors, were so utterly unsuited to residence in the Great Republic that they neither inspired reverence nor stimulated devotion. Adaptation of the liturgy to altered circumstances was imperatively requested. Collision was of the letter, not of the spirit; of liturgy, not of principle. The old rituals had fulfilled their mission, and lost much of their meaning. The Benai Berith was instituted to lead all parties out of the blinding dust of antiquity into the pure air of ideal ethics, to free them from the fetters of prejudice, lift them to a higher plane of thought and feeling, to intelligent consciousness of revealed religious truth, and to common participation in beneficent work. Progress was tardy. Sure growths are almost always slow. Order was evolved from chaos, and in that order lay the possibility of future magnates like the Mosaic triad, Josephus, and Montefiore. "Tribes of the wandering feet and weary breast," commingling in the commercial metropolis, developed the hereditary love of free institutions, and under conditions of equality before the laws of the land soon learned to think and act as true American citizens. "In essentials unity, in non-essentials diversity, in all things charity," is the compound maxim selected as a working guide. Sephardim, Ashkenazim, Moghrabim (Arabic Jews), and reformed may still use various rituals, while all unite in communal charities.

Of clubs the Harmonie, Metropolitan, Freundschaft, and Progress afford examples suited to the purses and social status of the members. The latter, located on Sixty-third street and Fifth Avenue, is a fine example of architecture, interior splendor, and scientific adaptation. The ladies' reception-room is simply gorgeous, and the painted ceiling in the best style of French art. The ladies' parlor is resplendent with satin, Mexican onyx, and rococo furniture. "Paul and Virginia" and "Reception of Albrecht Dürer" are paintings, and the "Whisperings of First Love," a white marble statuette presented by the ladies, is a sculpture, that expressively indicate the this-worldliness of the association. Thursday night is set apart for feminine friends, who there indulge in bowling and other amusements. Chess and billiards are for the men, chess being a generic term that may or may not include cards—possibly baccarat. The ball-room is said to be the largest and handsomest on the globe. Mythological paintings on linen adorn its walls, while 105 electric lights, each over the head of an esthetic figure, flood the scene

with wondrous brightness. Kitchens, dining-room for 600 guests, refectories for small parties, electrical ventilation, artistic sanitation, blending of Orient and Occident throughout the building, justify the outlay of \$600,000 upon it and the site whereon it stands. Membership is without distinction of race or creed, and recently reckoned 420 persons, of whom one was a Christian.

Adepts in the art of distilling from material things the essence that inspires but not inebriates, the home life of Jews in New York is, with comparatively few exceptions, one of innocent joyousness. Different congregations give entertainments to members and friends, in which they strive to strengthen Judaism by lectures, recitations, and songs. The Mosaic law, and its influence upon modern life through Christianity and Mohammedanism, is not an infrequent or unpopular topic. In devising expedients for beguiling dollars from unwilling pockets into society treasuries, the young people, and particularly those of the gentler sex, can "give points" to the most ingenious and successful of other creeds. Saltatory amusements at "brilliant and successful" balls are laid under contribution to intellectual and moral culture, and also to the mitigation of human suffering. Free synagogical schools, in which lessons are given on several days of the week, are supported in part by this fashion.

Of theatrical and operatic entertainments the Hebrews are passionately fond. The Oriental Theater in the Bowery advertises such plays as "The Usurer," "Uriel Acosta," and "The Only Son" in Jüdisch-Deutsch, at fifteen cents admission. Price is equal to program, whether there or in the National Theater or the Thalia Theater, which are also in the Bowery. The last, sometimes known as the Roumanian Theater, is crowded nights with wearers of dignified broadcloth and women resplendent in silks, velvets, and jewelry. Wealth is portable, and more gratifying thus to the owners than when deposited in bank or safety-vault. Such repositories in the Old World have often failed them in respect of security. Each prefers, for some years at least after settlement in New York, to be his own banker. The theater is crowded with eminently appreciative and good-natured people, whose applause, if not vociferous, is sincere and oft-repeated. The play is of Hebrew history and characteristics throughout; actors and actresses are unmistakably Jewish, and enact their parts with exuberant energy. German and Italian operas find liberal patrons in wealthier and more cultured Hebrews, whose coreligionists have been and are among the leading playwrights, composers, and musicians of civilization.

In literature the Jews of New York are pro-

lific. Emma Lazarus was a bright particular star, whose luster was too quickly extinguished by death. Journalism is particularly congenial to the Semitic temperament. The "Jewish Gazette" and the "Jewish Herald" appear in Hebrew characters, the "Jewish Messenger," "Hebrew Journal," "Jewish Standard," and "American Hebrew," in the English language. So does the monthly "Menorah," a magazine published by the Benai Berith, and which, in common with the "American Hebrew," is the incarnation of ordinary good sense—ethical, religious, and political; positively denominational withal, and adverse to purposeful conversionism, because it impliedly affirms lower religious and moral status on the part of the Jews. It prefers similar relation to that of Presbyterian to Methodist, or of Roman Catholic to Episcopalian.

Light is knowledge, and to spread its glory
Far as pen can reach or tongue can tell—
Rays of truth from science, art, or story —
Is the blessed law of Israel.
— *Miriam del Banco.*

Ethics are ever superior to morals, even in the best of communities. Nowhere are Jews exceptions to the general rule. Accepted orthodox code postulates the natural purity of the soul, which is "the portion of the Divine Spirit which God gave to man," responsibility for moral conduct, dependence on divine love, perfectibility of character, and eternal salvation through the merit of holy living. That prayer should be in practical righteousness is indicated by the washed hands of the supplicating rabbi. Why women, with their natural devotion, should be excused from its public exercise is not clear to Christian observers, who can scarcely fail to applaud the sternness with which they are said sometimes to refuse breakfast to husbands until the latter have officiated as priests of their own households. Prayer, whether offered in orthodox fashion three times a day or not, is, like the observance of the Torah, intended to lead to supreme love of the Deity, and love of others, measured by the love that the wise man bears for himself. True sacrifice is held to be that of "some of our individual views and wishes for the interest and benefit of the community in general," "of our greediness for wealth, and other numerous passions and desires which we allow to stand in the way of serving our Maker with sincerity." All external sacrifices, "without universal love and charity to our fellow beings," are unavailing.

Reformed Jews are sublimely theistic, believing that the God they adore is the Father of all, and that men are his sons, "endowed with his light of reason and drawing life from his empyrean of love." Rabbi K. Kohler, D. D.,

as the exponent of their views, admits "no partiality of creed, no monopoly of heaven, no hell for heretics, no damnation for sinners. All life [is] but one Revelation of God, all humanity but one Kingdom of Righteousness, and whosoever is clean of hands and pure of heart is on the road to the sunlit hills of blessedness forever."

Optimistic in sentiment, their professed aspirations are to the beautiful, the pure, the true. To them the Jew is a perpetual miracle, one of the corner-stones of civilization, and a humble servant in the temple of humanity. "Not creed, but deed," is his motto. His mission is to aid in humanizing religion and in religionizing humanity.

Such, in brief, are the doctrines taught in the magnificent Temple Beth-El, Fifth Avenue and Seventy-sixth street, erected at a cost, including site, of \$600,000, and dedicated to the service of the Eternal in September, 1891. Its union of Byzantine and Moorish characteristics, gilded dome and bronze gates, space for more than two thousand worshipers and numerous Sunday-schools, make it one of the most conspicuous edifices on the margin of the beautiful Central Park. Architecture and ornamentation, procession of boys and girls (one of the feminine confirmants carrying the golden key) led by congregational officials and ministering rabbis who bore the scrolls of the law, singing of children's and adult choirs, ceremonious deposit of scrolls within the ark, kindling of the perpetual lamp—emblem of life eternal and truth unfading—by the venerable Lazarus Straus, ritual and sermons, spirit-stirring hymn composed for the occasion by Mrs. M. D. Louis, and the glad devotions of the multitude, were intended to express all that is brightest, best, and most prophetic of good in the reformed Jews of New York.

Modern Judaism claims identity with that broad humanitarianism of which it regards Baron de Hirsch as an illustrious exemplar. To him the union of American Hebrew congregations in session at Baltimore in July, 1891, said by telegraph: "As American citizens we feel that you have interpreted aright the motto of Judaism, which is, 'My country is the world; my countrymen, mankind.'"

With all this catholicity of spirit the local Jew unites intense loyalty to the country in which he lives. In Russia he is an imperialist; in Germany, Great Britain, and Italy a constitutional monarchist; in France and the United States of America, a democratic republican. Everywhere, as an exponent of established order,—except where brutal tyranny has driven

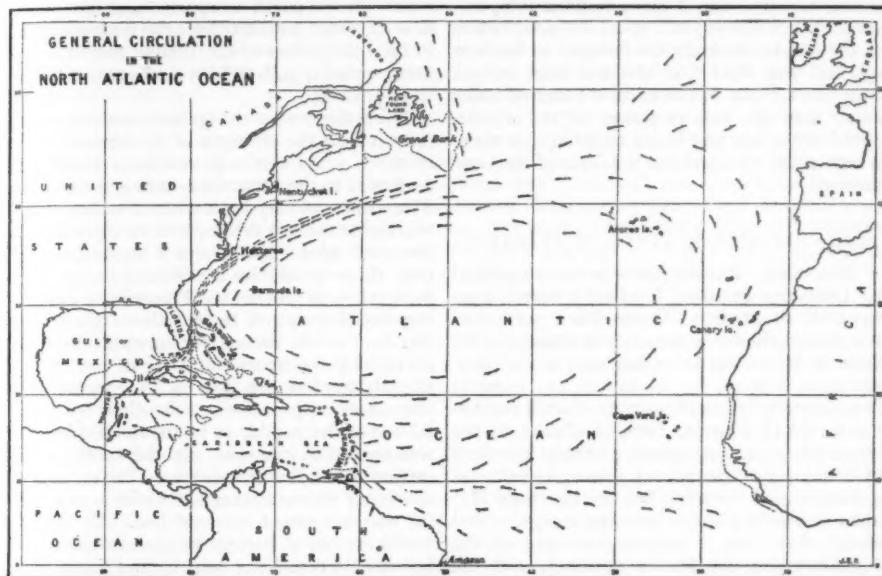
him into anarchism, or political injustice into multifold socialism,—he is a government official, and often, like Disraeli in England, Lasker in Germany, and Crémieux in France, of the highest grade. "Israel," writes the Rev. Dr. Bernard Drachman, "must assimilate itself to the conditions and culture of the nations among whom it dwells, and whose citizenship it enjoys. Especially in this country, where the full rights and privileges of citizenship and equality are ours, it is our duty to become completely Americanized in language and culture; but we need not on that account sacrifice our identity, nor give up the beautiful and sacred language and literature which we have inherited as Jews."

Some Christians question whether the instinct of Jewish nationality be not entirely extinct. Others affirm that it is imperishable. Under the ashes glow its wonted fires. It cherishes "audacious aspirations after renewed nationality." Who will say that the dream, or prophecy, of repatriation in the old Solomonic empire shall not be realized? Despite the enmity of the Sublime Porte, a center of national life is already fixed at Jerusalem. Whereunto it may grow depends more upon the Universal Israelite Alliance, and the overwhelming political support it can command, than upon the will of bigoted czar or "unspeakable Turk." The quarter million of Jews in New York, with representatives in the judiciary, legislature, and every department of civilized activity, are acquiring the qualifications for leadership in the land of their fathers, if in the fullness of time they may choose there to settle.

That there is deep and wide-spread popular prejudice against the Jews is undeniable. The best and noblest are freest from its unreason and injustice. These respect the right of private judgment and insist upon freedom of choice and action. When Jews like Disraeli, Erlanger, Neander, Edersheim, and Heine become Christians, the change is defensible and normal from the American standpoint. But when Christians become Jews, as they do occasionally in New York, what then? Is the change less defensible when criticized from the same platform? Each is responsible to pure reason, and to the Judge of all, for his conduct in this particular. Truth and right have nothing to fear from the endless mutations of human thought and passion, and in the outcome must be triumphant. Ethics fundamental to biblical Judaism and Christianity alike must be applied with equal impartiality to men of all races and religions, and each be held, rigidly yet lovingly, to strict responsibility under their rule.

Richard Wheatley.

RECENT DISCOVERIES CONCERNING THE GULF STREAM.



THIS subject of ocean currents is one that has engaged the attention of practical and scientific men for centuries. There is no part of the vast expanse of waters but has a movement, either due to tides or to a regular, constant flow; and an accurate knowledge of the laws relating to these movements is of great importance to mankind. Many branches of scientific inquiry are concerned in their examination, for they bear directly upon the dissemination and evolution of species, and the deposit and structure of geological formation, while in the every-day business of the world they enter as a factor in the price of everything that is carried afloat as well as in the safety of all those "that go down to the sea in ships."

The currents of the ocean are the great transporters of the sun's heat from the torrid zone to temper the climate of the polar regions. It is argued by some that such a stupendous change as that which occurred in Europe and America at the time of the glacial period was caused simply by a deflection in the currents in the northern hemisphere whereby its share of tropical heat was partly diverted toward the south.

In the three great oceans, the Atlantic, the Pacific, and the Indian, there is to be found a similar circulation—a general westerly movement in the tropics, a flow toward the poles along the eastern shores of the continents, an easterly set in the temperate zones, and a current toward the equator along the western shores. This system thus becomes a grand circular movement, some parts being very slow, but still quite constant, and other parts very swift. There are offshoots here and there, due to local causes, and perhaps in the slowly moving current there may be a temporary interruption, but, taken as a whole, the movement is continuous.

The part of this circulation flowing along the eastern coast of the United States is the greatest of all these currents, and, in fact, is the most magnificent of all nature's wonders. This is the Gulf Stream. When you are on board a vessel floating upon its waters, there is nothing remarkable in the surroundings, so far as the sight is concerned, which cannot be seen in many other places on the earth's surface. You look over the vessel's side and see a beautifully clear water, with perhaps a little seaweed floating on its surface, a dolphin or a shark playing about the ship, a school of flying-fish darting out of

534 RECENT DISCOVERIES CONCERNING THE GULF STREAM.

the water and skimming over the waves, myriads of little animal life sparkling like motes in the sunlight; but all of these sights are not enough to impress the beholder as being anything different from what might be expected at other places. You put your hand into the water, and find that it has a summer temperature. When the captain takes his observation of the sun to ascertain the position of the vessel, and you find that she has been moved over the surface of the earth a hundred miles more than the motive power of the engines could drive her, you begin to think that there is something wonderful in the force of the Gulf Stream.

THE GULF STREAM NAMED BY FRANKLIN.

The name Gulf Stream was first suggested by Benjamin Franklin, because it comes from the Gulf of Mexico. While it is a portion of the grand scheme of ocean circulation, and the Gulf of Mexico is in reality only a stopping-place, as it were, for its waters, the name is generally applied to the current when it reaches the Straits of Florida, north of Cuba. In the large funnel-shaped opening toward the Gulf of Mexico the current at first is variable in direction and velocity, but by the time Havana is reached it has become a regular and steady flow. As it rounds the curve of the Florida shore the Straits contract, and the water then practically fills the banks from shore to shore and reaches almost to the bottom, which is at this point about three thousand feet deep. I say almost, because in the changes which are continually going on, sometimes it does and sometimes it does not reach the bottom. As it leaves the Straits of Florida its course is about north, but it gradually changes its direction, following approximately the curve of one hundred fathoms' depth until it arrives at Cape Hatteras. From this point it starts on its course to Europe. It has lost something in velocity as well as in temperature, and as it journeys to the eastward it gradually diminishes in both, until it becomes a gentle flow as it approaches Europe.

SIZE AND STRENGTH OF THE GULF STREAM.

PEOPLE think the Mississippi River a grand stream, and it is so in truth, as far as land rivers go; but, great as it is, it would require two thousand such rivers to make one Gulf Stream. The great ocean river is an irresistible flood of water, running all the time, winter and summer, and year after year. It is as difficult for the mind to grasp its immensity as it is to realize the distance of the nearest stars. At its narrowest part in the Straits of Florida it is thirty-nine

miles wide, has an average depth of two thousand feet, and a velocity at the axis (the point of fastest flow) of from three to more than five miles per hour. To say that the volume in one hour's flow past Cape Florida is ninety billion tons in weight does not convey much to the mind. If we could evaporate this one hour's flow of water and distribute the remaining salt to the inhabitants of the United States, every man, woman, and child would receive nearly sixty pounds.

Even those who navigate its waters do not fully realize the strength of its current. Two or three years ago a government vessel was anchored in the Stream observing the current. The wind was very light when a sailing vessel was sighted ahead, drifting to the northward. As she came nearer and nearer it became evident that there would be a collision unless steps were taken to prevent it. The crew of the sailing vessel trimmed their sails to the gentle air; but it was useless, for onward she went, carried by the irresistible force of the current directly toward the bow of the steamer. As the vessels approached each other, by a skillful use of the rudder on board the steamer she was moved to one side, and the sailing vessel drifted past a few feet distant. The captain of the latter was as astonished as he was thankful that his vessel was not lost. All that he could cry out in broken English as he flashed by was, "I could not help it; the water bring me here."

It is curious to note in the history of the Gulf Stream how great its influence has been on the fortunes of the New World. Before the discovery of America strange woods and fruits were frequently found on the shores of Europe and off-lying islands. Some of these were seen and examined by Columbus, and to his thoughtful mind they were confirming evidence of the fact that strange lands were not far to the westward. These woods were carried by the Gulf Stream and by the prevailing winds from the American continent, so that in part the Gulf Stream is responsible for the discovery of the New World. Ponce de Leon, while on his famous search for the Fountain of Youth, made the discovery of this more practically beneficial phenomenon. After his failure to discover on the coast of upper Florida the means of cheating death, he turned to the southward, and skirted the shore for hundreds of miles, thus stemming the current. Referring to these currents, his journal describes that they found a current that, though the wind was good, they could not stem. It seemed that their vessels were going fast through the water, but they soon recognized the fact that they were being driven back, and that the force of the current was stronger than the wind. Two vessels that

were somewhat nearer the coast came to anchor; the third vessel, a brig, being in deeper water, could not anchor, and was "soon carried away by the current, and lost from sight, although it was a clear sky." We can only imagine what must have been the thoughts of these superstitious people when they saw their companions being carried by a fierce current into a region entirely unknown. The brig returned some days afterward, probably much to the relief of all.

Shortly after this, one of the vessels of Ponce de Leon's fleet was detached from the main expedition to explore the Bahamas. The pilot of this vessel was a man named Antonio de Alaminos, who became, by the experience thus gained, a most valuable acquisition to other explorers in those waters. He was successively with Cordova and Grijalva in their voyages to Yucatan and the Gulf of Mexico, and finally was selected as the chief pilot of the expedition of Cortes to Mexico. Afterward, when it became necessary to send an envoy to the King of Spain with despatches and presents, Alaminos was chosen as the one most able successfully to carry out the nautical part of the mission. He sailed from Mexico, and, in order to avoid foreign enemies and domestic rivals, took a route north of Cuba and through the Straits of Florida, thus becoming the first to utilize the Gulf Stream for the purposes of navigation. Before this time the homeward voyages were east of the Bahamas. Soon afterward Havana became the chief port of the West Indies. Situated in the Straits of Florida, it was easy of access to vessels bound to and from Europe. By going through the Caribbean Sea and around the western point of Cuba, the vessels had a favoring current all the way, and on the voyage homeward the Gulf Stream was a sure assistance. Havana became, therefore, the rendezvous and distributing point of the Spanish possessions in the New World.

The navigation of the sixteenth and seventeenth centuries was crude at best, but so great a factor was the Gulf Stream that expeditions of colonization failed more than once because, through a want of knowledge, they tried to stem its current instead of avoiding it. Sir Humphrey Gilbert, in explaining the reasons which led to the failure of his expeditions and the arguments in favor of the two routes of approach, through the trades or across the North Atlantic, says, "The first course,—that is, from the south northward,—was without all controverse the likeliest, wherein we were assured to have the commoditiie of the current, which from Cape Florida setteth northward, and would have furthered greatly our navigation, discovering from the foresaid cape toward

Cape Breton all those lands lying to the north." The advantage of being able to provision the vessels with fish caught on the Banks of Newfoundland led him to accept the northern route, and his expedition failed.

The division of the English colonies, later, into New England and Virginia was probably in part due to the routes by which they were reached. Vessels bound from England to New England crossed the North Atlantic outside the limit of the Gulf Stream, or in a feeble adverse current. This voyage was thought to be impracticable with a vessel bound to the southern colonies. They sailed south to the trade-wind region, through the Caribbean Sea and around Cuba, thence following the Gulf Stream to their port. The Dutch afterward adopted the latter passage in going to their colony on the Hudson, so that Nantucket Island really became the dividing line between the two voyages. A difference in destination of one or two hundred miles caused a difference in the length of the passage of about three thousand miles.

The whalers of New England were the first to gain a fairly accurate knowledge of the limits of the current between America and Europe, by following the haunts of the whales, which were found north of one line and south of another, but never between the two. This, they reasoned, was the Gulf Stream current. Benjamin Franklin received this information from the whalers, and published it on a chart for the benefit of the mail-packets plying between England and the colonies. The chart was first issued about 1770, but was not accepted by the English captains. Before it came to be generally known and used the trouble between England and the colonies began, and Franklin, knowing the advantage the knowledge would be to the British naval officers, suppressed it all he could until hostilities ceased.

The current divides into two branches as it approaches Europe, one flowing to the southward, along the African coast, and one toward the Arctic Ocean. Both are very slow in their movements, but the latter is of sufficient magnitude to force a return current along the coasts of Greenland and Labrador, which carries immense fields of ice and enormous bergs past the Newfoundland Banks and across the shortest steamer track to Europe. This ice, together with the fog which usually accompanies the meeting of currents of such markedly different temperature, compels those steamers seeking safety rather than economy and the quickest passage to make a detour around the ice limits, thus lengthening their voyages materially. The track of the steamers bound to the eastward is farthest to the southward, so as to be near or within the edge of the favoring current,

while the route of the steamers in the other direction is as near the ice limit as prudence will allow, and as far removed as possible from the adverse current.

THEORIES.

THE theories as to the cause of this and other ocean currents have been very numerous. Columbus thought that the waters, the air, and the stars all partook of the same motion around the earth from east to west. He brought forward as evidence of the great force of the current in the West Indies, that the Windward Islands were caused by the land being washed away in places, thus forming the islands. Toward the end of the seventeenth century the idea seemed to prevail that the ocean circulation was maintained by means of subterranean passages or abysses. A current at the end of its circuit, or upon meeting land, was supposed to descend into the bowels of the earth, and to appear again on the other side of the land, or very far distant, where it started again on its journey. A little later a theory was advanced that the sun evaporated so much water at the equator that a current was forced to run along the coast of Africa to fill up the hollow. Another was that the heat of the tropical sun attracted so much that a long mountain of water was formed. This was supposed to be carried around the earth until it met the obstruction of land, where it would divide and thus cause side currents. In comparatively recent times the cause of most currents has been laid to the rivers, and of the Gulf Stream chiefly to the Mississippi. The flow of all the rivers in the world will not equal the volume of the Gulf Stream alone. Some eminent men have attributed the currents to the revolution of the earth. It is said that the water, being fluid, does not fully partake of the revolution of the earth from west to east, but is left behind as it were. Many have decided that differences in the density of the ocean at the poles and the equator cause a flow from the latter on the surface and from the former along the bottom. The surface equatorial water is warm and light, while at the poles it is cold and heavy. The latter is said to sink, and is replaced by a surface current from the equator. This in turn draws its supply from the depths, and so a vertical circulation is maintained. Franklin's theory, which has many advocates at the present day, is that the winds produce the current by the friction of the moving air on the surface of the water. None of the theories have been based upon direct evidence, but all are inferences drawn from temperatures, school-room experiments, the drift of vessels, or from reasoning based upon opinions of what ought to be.

THE GULF STREAM SCIENTIFICALLY EXAMINED.

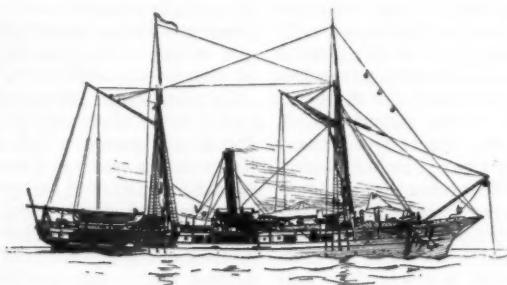
An immense amount of labor has been devoted toward attempting to define the limits of the currents. Columbus was the pioneer in the investigation of the Gulf Stream, or rather of the equatorial current, which is a part of the grand circuit. On his first voyage, when he was nearing the West Indies, he was sounding one day with a long line and weight, when he noticed that the line inclined toward the southwest, from which he concluded that the surface water was moving faster in that direction than was the lower stratum which contained the weight. Benjamin Franklin endeavored to utilize the thermometer to indicate the presence of a tropical or polar current, and so evident did it appear that this could be done that the idea became an accepted fact in navigation, and at the present day is believed in by many seafaring people. Various governments issued instructions to their naval officers and requests to their merchant marine to keep a record of temperatures of the surface water, and by a compilation of these data the supposed limits of most currents were placed upon the charts.

The importance of a complete knowledge of the Gulf Stream to the commercial interests of the United States was recognized by Congress in the passage of an act authorizing the Coast Survey to include it within the scope of its examination. Later, authority was given to investigate the Sargasso Sea (the body of water in the Atlantic lying at the center of the grand circular movement of currents) and also the mate to the Gulf Stream in the Pacific, called the Black Stream of Japan. The first regular and systematic examination of the Gulf Stream was made by the United States Coast Survey while under the superintendence of Professor A. D. Bache, between 1844 and 1860. Reasoning on the same basis that the current could be defined by its temperature, he caused many thousands of thermometrical observations to be taken on lines extending across the Stream at intervals from Key West to beyond Nantucket. He found by this means that all along our coast the surface is divided into bands of warm and cold water. They are spread out or separated at the northern end, and converge at the Straits of Florida. The warmest band, Professor Bache concluded, was the axis or the swiftest current, and each of the others was a part of the Stream, which spread as it increased its distance from the tropics. The cause of the cold streaks was supposed to be irregularities in the bottom over which the current runs; but this was based upon erroneous measurement of the depths, and in recent years, with better instruments, the bottom has been found to be nearly even.

Another method of approximately determining the current has been in use since the introduction of accurate navigation. A vessel at sea is moved by the wind or by engines as nearly as possible on a certain course and distance, but she is deflected from that course by winds, waves, currents, etc., to an unknown amount. By astronomical observation the commanding officer ascertains where the vessel is at the time, and the difference between this and the supposed position is called current. It is of course the sum of all the errors of observation, of leeway, of compass, and of steering, combined with current, and is of but

succeeded in anchoring in water over twenty-four hundred feet in depth, which at that time was the greatest ever attempted, and observing the surface flow; but the difficulties were so great that a larger vessel and an improvement in methods became necessary. The *Blake*, under the command of the writer, was detailed for the purpose, and permission was granted to use an instrument which he designed for measuring the current from the surface to the bottom.

In the method of anchoring a new departure from the ordinary mode was taken, and, proving to be entirely successful, it is still in



THE "BLAKE."

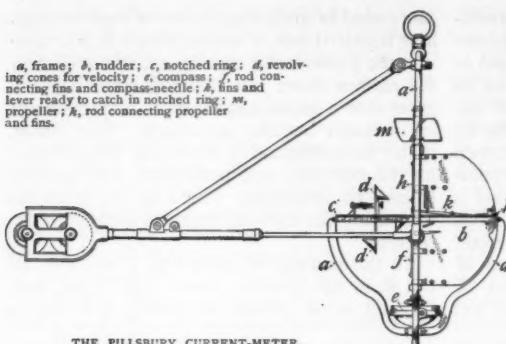
little practical value to the mariner. Still another method has been practised and even now is somewhat used to determine the flow of currents. Bottles are thrown overboard from vessels at sea, each one containing a paper on which is written the date and position at which it is put afloat, and a request printed in various languages requesting the person finding it to mark the date and locality and forward it to some official. This method is, for many reasons, of but little use. The bottle is tossed by the waves and driven by the wind. If it is picked up on shore, there is no means of knowing how long it has been traveling at sea and how long idle on the beach; and when it is found, all that it tells is that it has journeyed from one point to another in a certain time, but by what route it is impossible to ascertain.

It is obvious that the old methods of establishing the currents, by temperatures or by drift of vessels or bottles, are inadequate, and in 1883 the Coast Survey decided to attempt to anchor a vessel in the Gulf Stream and actually measure the amount of water flowing past. It was thought to be possible to do so by the use of steel-wire rope instead of chain or hemp, as the improvements in the manufacture of the former gave a rope of great strength with sufficient pliability and lightness. The first trial was made in a little schooner, the *Drift*. She

use on board the *Blake* in the current investigation. The great length of wire rope (over four miles) is carried on a large iron spool. A powerful steam-engine lowers and hoists the rope and anchor, while another winds the rope on the spool to be ready for use again. The quick pitching motion of the vessel, pulling the rope violently through the water, makes it necessary to use something to relieve the sudden strain, and for this purpose a large spar projects over the bow. This is hinged at its inside end, and is held up by a long rubber spring. The anchoring-rope is attached to the outer end so that it pulls directly on the spring at every motion of the vessel. With this arrangement the operation of anchoring is so simple and safe that currents have been observed down to thirty-six hundred feet below the surface, the vessel being anchored in depths of more than two and one-half miles.

To gain a knowledge of the laws governing the flow, it is necessary to ascertain the direction and the velocity at all depths from the surface to the bottom. This is done in order to eliminate as much as possible the effect of any abnormal force which may be influencing the current at one place and not at another. The instrument designed for this purpose is in no way complicated. In order to know the direction of the current below the surface, it

a, frame; *b*, rudder; *c*, notched ring; *d*, revolving cones for velocity; *e*, compass; *f*, rod connecting fins and compass-needle; *g*, fins and levers to catch in notched ring; *h*, propeller; *i*, rod connecting propeller and fins.



THE PILLSBURY CURRENT-METER.

has a rudder which is free to turn in the direction of the flow, and a compass-needle, which of course points to the north. After it has been lowered to any desired depth and allowed to remain a given length of time, it is hoisted to the surface. At the instant of starting its upward motion a simple arrangement of fins, connected with levers, catches the rudder and compass-needle, and at the same time a small propeller begins to revolve by the force of the water. In pulling the instrument through a short distance this propeller locks the compass and rudder in the position they were caught by the fins. To ascertain the velocity, the instrument has an arrangement of revolving cones which, being attached to the front of the rudder, are consequently always toward the current and ready to be turned by the force of the passing water.

The investigation began with these appliances in the narrowest part of the Straits of Florida, in order to find out the characteristics of the Stream at a point where it would be the least influenced by abnormal forces. After two years at this point the research was extended to the western part of the Straits and to the passage between Yucatan and Cuba, to gage the water entering and leaving the Gulf of Mexico. Afterward the equatorial current and the flow between the islands into the Caribbean were examined, in order to compare what may be called the source of the Gulf Stream with the outlet as it leaves the Straits of Florida for the Atlantic. The stream off Cape Hatteras received attention, and also the flow existing in the Atlantic Ocean north of the Bahama Islands.

We are now beginning to realize the magnitude of this "river in the ocean" from actual observation instead of from speculation. The investigation has resulted in many discoveries as astonishing as they are valuable. The average volume of the Gulf Stream flow has been fixed by many hundreds of observations to be nearly ninety billion tons of water per hour.

Perhaps the most valuable is the discovery that the Stream changes in velocity daily and monthly, and that predictions can be made of the times of these changes. It will be remembered that the tides rise and fall daily, this depending chiefly upon the position of the moon in its revolution about the earth. In the same manner the current varies in velocity daily. For example, the equatorial current along the South American coast is running fastest at about six hours before the moon crosses the meridian. Between Cuba and Yucatan the maximum current is ten hours before, and in the Straits between the Bahamas and Florida the time is nine hours. These variations in some parts of the Stream amount to more than three miles per hour at certain times in the month, and at other times may be less than one mile. It is readily seen how important this information is to the mariner whose chief endeavor is to make a quick and safe passage.

During the month there is another change taking place, which follows the moon in its journey north and south of the equator. The current always runs weakest at the sides, and strongest at some point usually to the left of the middle of the Stream. This strongest point (called the axis) changes its position. Two or three days after the moon has passed the equator, and is going toward the highest declination, the current at the axis is nearest the middle or farthest to the right, and two or three days after the moon's highest declination it has expanded, and the maximum is farthest to the left. Accompanying both these variations, the daily and the monthly, the temperature of the Stream changes, caused by a greater or less admixture of the warm surface with the cold bottom waters. At one time during the day the lower currents incline in direction toward the axis, while again they run more parallel with the general course of the Stream. This causes the surface water to intermingle with the lower water, and to cool. The observations, besides giving definite and decided information as to the actual limit, direction, and velocity of the Gulf Stream, bear strongly upon the question of what causes the ocean currents.

WHAT CAUSES THE OCEAN CURRENTS.

In the tropical regions there is a continued movement of the air from east to west known as the trade-winds. South of a certain line situated near the equator these winds blow from a southeasterly direction, while north of the equator they come from a more northeasterly

direction. The position of this belt on the earth's surface is continually changing. In our winter, the sun being in the southern hemisphere, the belt is farthest south, while in our summer it extends higher into northern latitudes. In the temperate zones the prevailing direction of the wind is in an opposite direction to that of the trades; that is, the winds predominate from the west.

Winds blowing over the surface of water induce a current in the latter. At first it is only the merest skim that moves, but gradually the movement is communicated from layer to layer until at last the whole mass is in motion. To allow the trade-wind to affect the ocean

over which it blows sufficiently to cause a current to reach the bottom, would require many thousands of years with a steady force and direction. As the winds vary in both (although predominating in one direction), the induced current is shallow and weak, rarely extending much below three or four hundred feet. The superficial current produced by the southeast trades in the Atlantic finally reaches the coast of South America, and divides at its most salient point,

THE METER READY FOR LOWERING.

Cape St. Roque. A part of the current then turns south toward the Antarctic, and a part follows along the northern side of the continent toward the Caribbean.

The northeast trade-winds also induce a current, and a part of the latter joins the other outside the Windward Islands, while a part passes north of the Caribbean toward the coast of the United States. All the passages between the Windward Islands carry some of the current into the Caribbean, and it is driven across that sea until it reaches the coasts of Yucatan and Honduras, from which it escapes by the easiest route, which is into the Gulf of Mexico. The water entering the Caribbean by this means is about half the amount which flows through the Straits of Florida from the Gulf of Mexico, and the other half is supplied from a source which does not come under the

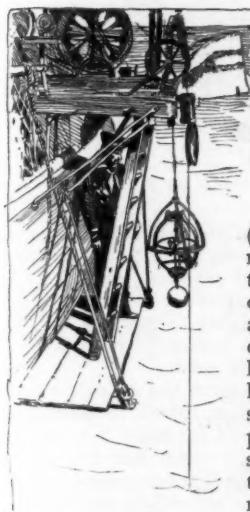
head of a measurable current. This other source is the wave caused by the wind. Every ripple carries a certain amount of water in the direction toward which it is moving, and when the waves become large, hundreds of tons of water are thrown from the crest into the trough every time the wave breaks. In a large area like the Caribbean Sea, having a comparatively constant wind blowing over its surface, this action is practically a simultaneous movement of the surface to the westward, and a continual escape of the water heaped up at the obstruction offered by the land. This escape is with the current into the Gulf of Mexico, through the Straits of Florida, and into the Atlantic.

The Gulf Stream, grand as it is in comparison with other ocean currents, would be but little felt on the European coast did it not receive an addition to its volume while *en route*. It will be remembered that a portion of the northeast trade-wind current flows outside the West Indian Islands and the Bahamas. This slow current, meeting the obstruction of the continent in its path, gradually curves to the northward, and joins the Gulf Stream in its journey to the Old World. The temperature of this outside current in its passage along the West Indian Islands is about the same as that of the Gulf Stream, but it is less violent in its movements, and there is less intermingling of its lower and upper waters. It consequently arrives off Cape Hatteras with a much higher temperature than that of the more rapid and turbulent Gulf Stream.

The water thus delivered to the region of the prevailing westerly winds above the thirty-fifth parallel of latitude is moving in a north-easterly direction. The impelling force from behind—the trade-winds—has ceased to act on the surface, and the velocity of the current is consequently diminishing. By the time the Newfoundland Banks have been passed, the Gulf Stream as a separate and distinctly defined body has been almost obliterated, and in its place there is being formed a broad, slowly moving drift caused by the prevailing westerly winds. As this current reaches the obstruction of the European coast the water escapes in two directions, one toward Africa, to join the trade-wind current at the starting-point, and the other toward the Arctic. The latter must also have some means of escape, because the Arctic is a *cum-de-sac*, and as the line of least resistance is on the west side along the coasts of Greenland, Labrador, and Newfoundland, the Labrador current is formed.

IS THE AMERICAN CLIMATE MODIFIED?

THE question is often asked, To what extent does the Gulf Stream modify the climate of



the United States? To its supposed erratic movements is laid the blame of every abnormal season. There is every evidence that the Gulf Stream is governed absolutely by law in all its changes. The course through the ocean is without doubt fixed. Its fluctuations are by days, by months, by seasons, or by years, and they do not vary materially one from the other. Its temperature changes, depending upon the relative heat of the tropical and polar seasons, and upon the strength of the producing trade-winds. The warm water may be driven toward the shore by the waves caused by a favorable wind, but the current remains in its proper place. The warm water gives off a certain amount of heat to the air above it, and if this air is moved

to the land we feel the heat. The presence of the warm water on the coast of Europe would in no way modify the climate if the prevailing winds were easterly instead of westerly. If the prevailing winds in New England in winter were southeast instead of northwest, the climate would be equal to that of the Azores Islands, mild and balmy. For the cause of abnormal seasons we may look to meteorology. The current is in its place ready to give off the heat and moisture to the air whenever the demand is made upon it, but by the erratic movements of the air this heat and moisture may be delivered at unexpected times and seasons, and thus give rise to the erroneous belief that the Gulf Stream itself has gone astray.

John Elliott Pillsbury.



RICHARD HENRY DANA.

I.

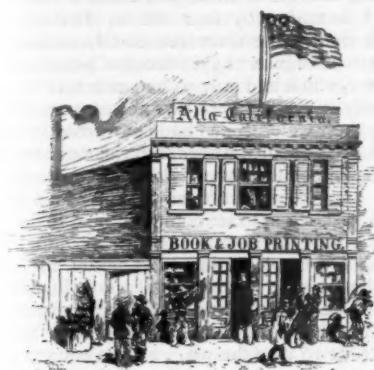
O SPIRIT dauntless, whom no danger moved,
Who loved the heaving vastness of the sea,
With zest its threat of gale and tempest proved,
And salty wastes found sweet with liberty;
When the earth-bound heaven, sphered above
Thy country, with the muttering storm did lower,
When the massed engineeries of hate and love
Thundered and flashed with elemental power,
Like was thy course as when on voyaging bound —
Steered, veering always by the central star,
Unseen or seen, straight or rough capes around,
Where thy soul's pointers led thee, wide and far,
Sure of the port, gold-gated, that would bless
With peace, in freedom's law of righteousness.

II.

Let fops and worldlings sniff, and pick apart,
At foibles carp,—shades that great virtues throw,—
And try in vain to brand, with specious art,
Thy life with failure. Thee they could not know.
Statesman and jurist with no curule seat,
A patron to the sailor and the slave,
One prompt the face of jealous power to meet,
Withstand, and speak the truth, the hard cost brave;
Leader of hopes forlorn that must be led,
If country, honor, freedom are to live;
Of God's elect thou wert, and of such bred;
Thee patriot saints thy place with them shall give,
Whose strength in faith and courage ever lies,
Whose unsought glory crowns self-sacrifice.

Darwin E. Ware.

PIONEER DAYS IN SAN FRANCISCO.



BUILDING OF THE "ALTA CALIFORNIA."



WHEN Captain Montgomery first gave the American flag to the breeze on the Plaza of Yerba Buena on the 8th of July, 1846, let us hope that a certain person was there to see—that native woman who, in Los Angeles in 1842, sang in the hearing of Duflot de Mofras her song of prophecy: "When the Frenchmen come, the women will surrender; when the Americans come, good-by to California!"

On the day of that flag-raising Yerba Buena was an amiable as well as a picturesque village, and its tenscore of inhabitants,—native Californians, English, Scotch, and Irish, with a sprinkling of Swiss, Swedes, Danes, Kanakas, and Indians,—unvexed by prophetic dreams of the feverish days of gold, were content to hail that gaudy bunting, and the promise of all that it stood for; were content to wait till the commerce of all the seas should find its way to the noblest anchorage the world could offer it.

The ever-expectant citizen of Yerba Buena who, spy-glass in hand, on the last day of that same July, mounted the hill above the cove ("Telegraph Hill" it was to be called) was greeted with a prospect that justified his highest hopes, and inspired him with the raptures to which Benjamin Morell had given expression fifteen years before—"a bay that might float the whole British navy without crowding; a circling grassy shore indented with convenient coves; a verdant, blooming country round about." Here were waving woodlands, and

pastures flecked with grazing herds; hill and dale, mountain and valley, rolling rivers and gurgling brooks. And, looking seaward to where the Pacific pounded at the rocky headlands of the Golden Gate, he descried a ship under all sail, heading for the straits and the bay; a ship carrying the American ensign at her peak, but not a man-of-war, for her decks, and even her lower rigging, were black with passengers—men, women, and children! Again and again, with leveled glass, he peered, confirming the witness of his eyes; then he turned and ran down the hill and around the curving beach of the cove that rested sleepily between the arms of Clark's Point and the Rincon; and presently all the motley multitude of his fellow citizens were swarming from their adobes and their shanties, stirred with the news as the leafy ridges of the Contra Costa were stirred with the sea-breeze.

The ship that let go her anchor that day, off the little island of the "good herb," was the *Brooklyn* from New York, bringing "Bishop" Brannan (the redoubtable "Sam" of a later day) and his colony of Latter-day Saints; and these brought stout hearts, strong arms, and cunning hands; money, tools, pluck, keen wits, and a printing-press. And so, although they quarreled with their very mundane bishop, and went to law with him, and abandoned their scheme of Mormon colonization, and presently made game of Brigham Young in their tents among the sand-hills, nevertheless they gave to San Francisco her first prayer-meeting, her first jury trial, her first local advertising, her first newspaper; for with the same types and press that had once done duty for "The Prophet" in New York, they printed blank deeds, alcaldes' grants, and pro-nunciamientos, and early in the following January issued the first number of the "California Star," pledged "to eschew with the greatest caution everything that tends to the propagation of sectarian dogmas." A progressive folk, those Mormons of Yerba Buena!

Toward the close of January, 1847, Yerba Buena underwent a change of name, and by summary process and proclamation of the alcalde became San Francisco; for the chief magistrates of those days were a very summary folk, doing a mildly autocratic business each in his little bailiwick, and having small reverence for precedents or principles, but just setting up or casting down according to certain loose notions of their own regarding Mexican

judicature or Californian traditions. And so the first alcalde of Yerba Buena under the American flag, being a naval lieutenant (Mr. Washington A. Bartlett) appointed by Captain Montgomery, and invested with ample powers, military as well as civil, to administer the affairs of the embryo metropolis according to Mexican practice conformed to American ideas, proceeded to the making of history in a small way, building better than he knew. He first changed the name of the place to San Francisco, and then vouchsafed to explain that Yerba Buena was but a paltry cognomen taken from a lot of vulgar mint overrunning an insignificant island; that it was a merely local name, "unknown beyond the district," while San Francisco had long had the freedom of the maps; and finally that it was an outlandish name, which Americans would mangle in pronouncing. "Therefore, to prevent confusion and mistakes in public documents, and that the town may have the advantage of the name given on the public map, it is hereby ordained," etc.

And the alcalde was right: for in 1836 Alexander Forbes had written "the port of San Francisco is hardly surpassed by any in the world"; and ten years later (eighteen months in advance of the Bartlett coup) George Bancroft, then Secretary of the Navy, had instructed Commodore Sloat in relation to the blockade or occupation of "the port of San Francisco," in the event of his (Sloat's) ascertaining with certainty that Mexico had declared war against the United States.

The 5th of March, 1847, brought the ship *Thomas H. Perkins*, with a detachment of the New York regiment commanded by Colonel Stevenson. These men were pledged by the terms of their enlistment to make permanent settlement in California at the close of the war, and they had been chosen for the most part with an eye to their prospective usefulness as skilled artisans or shrewd traders. Thus they constituted an important accession to the population, and, joined with their Mormon predecessors, showed a bold front of energy and confident resources. The air began to be stirred with the bustle of business, and all the talk was of town lots. General Kearney had ceded to the town all the beach- and water-lots on the east front, between Fort Montgomery and Rincon Point; and on the 20th of July two hundred of these lots, lying between the limits of high- and low-water marks, were sold at public auction for from \$50 to \$100 each. These lots measured 45 x 137 feet, and were for the most part uncovered at low tide. In December, 1853, the water-lots between Clay and Sacra-

mento streets fetched from \$8000 to \$16,000 each, although they were but 25 x 60 feet, and at all times under water. In 1847 a fifty-vara lot north of Market street could be bought for \$16. A vara, the Spanish yard, is about 33 $\frac{1}{3}$ inches, and six of these lots made a building block bounded by four streets. Hittell¹ records that, in the seventeen months ending on the 1st of August, "157 houses had been built in a place which had only 30 houses before"; and already it was a city of two newspapers, for in May the "Californian" had come from Monterey and cast in its fortunes with the "smart little settlement on the cove," which, having secured two notable importations of untrified hustlers, had begun to set competition at defiance, with a total population of nearly five hundred, composed of all nationalities under the sun. Of this number fully one half were citizens of the United States; and these, being stirred by municipal aspirations, bethought them that it was time to give the place a town council and call it a city. So a public meeting was held under a call from the governor, and six gentlemen were elected to constitute an *ayuntamiento*, or council. These were Messrs. Glover, Jones, Howard, Parker, Leidesdorff, and Clark, and their functions were the laying out of streets, the award of building privileges, the regulation of business, the granting of licenses, the appointment of town officers and constables, etc. The enforcement of ordinances and general execution of the laws devolved upon the first alcalde, who was Mr. George Hyde. He was assisted by Dr. T. M. Leavenworth as second alcalde, and by Mr. Leidesdorff as treasurer. Messrs. Glover, Leidesdorff, and Clark were appointed a committee to take measures for the establishment of a public school for the youth of both sexes; but it was not until April 3, 1848, that the school was formally opened. By that time the population had increased to about 850, all told, and the buildings of all kinds numbered two hundred, including two considerable hotels, besides public houses and saloons, stores, warehouses, and two wharves in course of construction. Already the characteristic enterprise of San Francisco had begun to express itself in a brisk development of its peculiar industry: gambling-houses were springing up on every corner, and an ordinance of the ayuntamiento provided for the seizure, for the benefit of the town, of all moneys found on any table used for gambling with cards. "Such an ordinance, if enforced a year later, would have enriched the city in a single night; but the act was repealed at the next meeting."²

Early in the spring of 1848 there began to be rumors of gold to be found in the foothills

¹ J. S. Hittell, "A History of the City of San Francisco."

² Soulé, Gihon, and Nisbet, "The Annals of San Francisco": New York, 1855.

of the Sierra Nevada; and presently actual miners appeared in town, showing small parcels of dust and telling tales of wonder that turned the heads of gaping groups met at the landing on the cove and in every place convenient for assembling from Telegraph Hill to Happy Valley. Then the cry went up, and bedlam was let loose. Sailors deserted from the shipping and soldiers from the barracks; the laborer dropped his shovel and his pick, only to return and take them up again—shovels and picks would be useful in the diggings; the mechanic turned his back upon his job; the builder left his house unroofed; the blacksmith and the baker let their fires go out; and the merchant stripped his shelves, huddled his goods into boxes and bales, and shouted at the cove for a launch bound for the Sacramento Valley. The cry of "Gold!" was caught up and reechoed on the docks and in the market-places of Atlantic seaports, until the world was turned upside down. Every day added to the number of those who were hurrying to the "placers," and the bay was alive with freighted launches crawling up the Sacramento. In May and June the "Californian" and the "California Star" stopped their presses with a farewell fly-sheet. In the middle of July the "Californian" revived with news of affairs in the mines. For two months the ayuntamiento had not met; the city fathers and officials had all gone to the diggings. The public school, which had been closed for two months, was reopened in December, and on Sundays public worship was held there by a Protestant chaplain imported from Honolulu, on a salary of \$2500, raised by subscription.

The first brick house in San Francisco was built by Mellus and Howard on the corner of Clay and Montgomery streets, in September, 1848. In December flour was \$20 a barrel, butter ninety cents a pound, brandy \$8 a gallon, and gold-dust dull at \$10.50 an ounce. Common laborers were getting \$10 a day, and ordinary mechanics \$20. Gold-dust at \$16 the ounce soon became the circulating medium for all purposes of trade. The bay was bustling with small craft, and the sand-hills were thickly flecked with canvas tents and such makeshifts as could be rigged with a pole and two blankets, while the Plaza, and Clay and Montgomery streets, rioted in music and drink and gambling. "Men," says Hittell, "who had lived on five dollars a month now spent hundreds; men who had been idlers formerly were now among the most industrious, and men who had never before wasted a day became loungers and gamblers." And, let us add, men who at home had been blithe, cheery, vital, became despondent, moody, inert, stunned by the mad scramble about them; and men refined, sensitive, keenly

susceptible to impressions of coarseness and depravity, became home-sick, heart-sick, desperate, ready to plunge into the unknown out of the ghastly brutality of such a training as this.

On the last day of February came the steamship *California*, bringing General Persifer Smith to the command of the Military Department, comprising California and Oregon; and on the last day of March the Pacific mail-steamer *Oregon* brought about three hundred and fifty passengers, including Colonel John W. Geary, who bore government despatches to the commanders of the military and naval forces on the Pacific, and brought the first regular mail that was opened in San Francisco. Colonel Geary had been appointed postmaster of the new city, with powers to create post-offices, appoint post-masters, and establish mail routes throughout the territory. Within the next three months more than three hundred square-rigged vessels were lying in the harbor stranded and disabled for want of sailors, the crews having deserted in a body almost as soon as the anchors were let go. Some of these vessels eventually rotted where they were moored; some were hauled up on the beach and in the mud to serve as store-houses, lodging-houses, and saloons; and, at a later period, more than one of them, flanked by buildings and wharves, and forming part of a street, appeared as an original and startling feature of that most surprising town. Thus, the brig *Euphemia* was purchased by the ayuntamiento and converted into the first jail, and the store-ship *Apollo* was used as a lodging-house and drinking-saloon; and as lots were piled or filled in on the flat covered by the bay, the Apollo saloon in course of time presented the extraordinary spectacle of the hull of a large ship looming up among the houses. The *Niantic*, stripped of her masts and rigging, and propped with piles on each side, lay at the corner of Sansome and Clay streets and served for the storing of merchandise, and when the May fire of 1851 consumed all but the deeper parts of her hull and some of her ribs, a hotel was built on the wreck and called the Niantic.

In the first six months of 1849 fifteen thousand souls were added to the population of San Francisco; in the latter half of that year about four thousand arrived every month by sea alone. At first the immigrants were from Mexico, Chile, Peru, and the South American ports generally; but soon our own Americans began to swarm in, coming by way of Cape Horn and Panama, or across the plains; and the number of these was swelled by the addition of thousands of deserters from the shipping, and by a straggling contingent from China, Australia, and the Hawaiian Islands. Probably two thirds of these newcomers proceeded at once to the mines,

but those that remained to try their fortunes in the city were enough to give to San Francisco at the end of the year a population of twenty-five thousand—mostly men, young or of middle age, very few women, fewer children, with here and there a bewildered matron or maiden of good repute. Here were British subjects, Frenchmen, Germans, and Dutch, Italians, Spaniards, Norwegians, Swedes, and Swiss, Jews, Turks, Chinese, Kanakas, New Zealanders, Malays, and Negroes, Parthians, Medes, and Elamites, Cretes and Arabians, and the dwellers in Mesopotamia and Cappadocia, in Boston and New Orleans, Chicago and Peoria, Hoboken and Hackensack.

And how did they all live? In frame-houses of one story, more commonly in board shanties and canvas tents, pitched in the midst of sand or mud and various rubbish and strange filth and fleas; and they slept on rude cots, or on "soft planks" under horse-blankets, on tables, counters, floors, on trucks in the open air, in bunks braced against the weather-boarding, forty of them in one loft; and so they tossed and scratched, and swore and laughed, and sang and skylarked—those who were not tired or drunk enough to sleep. And in the working-hours they hustled, and jostled, and tugged, and sweated, and made money—always made money. They labored and they lugged: they worked on lighters, drove trucks, packed mules, rang bells, carried messages, "waited" in restaurants, "marked" for billiard-tables, served drinks in bar-rooms, "faked" on the Plaza, "cried" at auctions, toted lumber for houses, ran a game of faro or roulette in the El Dorado or the Bella Union, or manipulated three-card monte on the head of a barrel in front of the Parker House; they speculated in beach- and water-lots, in lumber, pork, flour, potatoes; in picks, shovels, pans, long boots, slouch-hats, knives, blankets, and Mexican saddles. There were doctors, lawyers, politicians, preachers, even gentlemen and scholars among them; but they all speculated, and as a rule they gambled. Clerks in stores and offices had munificent salaries; \$5 a day was about the smallest stipend even in the custom-house, and one Baptist preacher was paid \$10,000 a year. Laborers received a dollar an hour; a pick or a shovel was worth \$10; a tin pan or a wooden bowl, \$5; and a butcher's knife, \$30. At one time the carpenters who were getting \$12 a day struck for \$16. Lumber rose to \$500 per thousand feet, "and every brick in a house cost a dollar, one way or another."¹ Wheat flour and salt pork sold at \$40 a barrel; a small loaf of bread was fifty cents, and a hard-boiled egg a dollar. You paid \$3 to get into the circus, and \$55 for a private box. Men talked dollars, and a copper

coin was an object of antiquarian interest. Forty dollars was the price for ordinary coarse boots; and a pair that came above the knees and would carry you gallantly through the quagmires brought a round hundred. When a shirt became very dirty, the wearer threw it away and bought a new one. Washing cost \$15 a dozen in 1849. Rents were simply monstrous: \$3000 a month in advance for a "store" hurriedly built of rough boards. Wright and Co. paid \$75,000 for the wretched little place on the corner of the Plaza that they called the Miners' Bank, and \$36,000 was asked for the use of the Old Adobe as a custom-house. The Parker House paid \$120,000 a year in rents, nearly one half of that amount being collected from the gamblers who held the second floor; and the canvas tent next door, used as a gambling-saloon, and called the El Dorado, was good for \$40,000 a year. From 10 to 15 per cent. a month was paid in advance for the use of money borrowed on substantial security. The prices of real estate went up among the stars: \$8000 for a fifty-vara lot that had been bought in 1848 for \$20. Yet, for all that, everybody made money, although a man might stare aghast at the squalor of his lodging, and wish that he might part with his appetite at any price to some other man. It was some such man as this who preserved the bill of fare of the Ward House for the dinner there on the 27th of October, 1849.

Oxtail soup	\$1.00
Baked trout, anchovy sauce	1.50
Roast beef	1.00
Roast lamb, stuffed	1.00
Roast mutton, stuffed	1.00
Roast pork, with apple sauce	1.25
Baked mutton, caper sauce	1.25
Corned beef and cabbage	1.25
Ham	1.00
Curried sausages	1.00
Lamb and green peas	1.25
Venison, wine sauce	1.50
Stewed kidney, champagne sauce	1.25
Fresh eggs	1.00 each
Sweet potatoes50
Irish potatoes50
Cabbage50
Squash50
Bread pudding75
Mince pie75
Brandy peaches	2.00
Rum omelette	2.00
Jelly omelette	2.00
Cheese50
Prunes75

At the El Dorado Hotel at Hangtown (a mining-camp) the dainty menu offered "beef with one potato, fair size," \$1.25; "beef, up along," \$1; "baked beans, greased," \$1; "new potatoes, peeled," 75 cents; "hash, low grade," 75 cents; "hash, 18 karats," \$1; "roast grizzly," \$1; "jackass rabbit,

¹ "Annals of San Francisco."

IN FRONT OF THE EMPIRE SALOON.





OLD STORE-SHIP "APOLLO," USED AS A SALOON.

whole," \$1.50; "rice with brandy peaches," \$2; and "a square meal" for \$3. "All payable in advance. Gold-scales on the end of bar." But the small, cheap gold-scales cost \$30, and the coarse knives and forks not less than \$25 the pair.

The aspect of the streets of San Francisco at this time was such as one may imagine of an unsightly waste of sand and mud churned by the continual grinding of heavy wagons and trucks, and the tugging and floundering of horses, mules, and oxen; thoroughfares irregular and uneven, ungraded, unpaved, unplanked, obstructed by lumber and goods; alternate humps and holes, the actual dumping-places of the town, handy receptacles for the general sweepings and rubbish and indescribable offal and filth, the refuse of an indiscriminate population "pigging" together in shanties and tents. And these conditions extended beyond the actual settlement into the chaparral and underbrush that covered the sand-hills on the north and west.

The flooding rains of winter transformed what should have been thoroughfares into treacherous quagmires set with holes and traps fit to smother horse and man. Loads of brushwood and branches of trees, cut from the hills, were thrown into these swamps; but they served no more than a temporary purpose, and the inmates of tents and houses made such bridges and crossings as they could with boards, boxes,

and barrels. Men waded through the slough, and thought themselves lucky when they sank no deeper than their waists. Lanterns were in request at night, and poles in the daytime. In view of the scarcity and great cost of proper materials and labor, such make-shifts were the only means at hand. A traveler who came by sea in 1849 describes with graphic interest "the peculiar construction of the sidewalk between the store of Simmons, Hutchinson & Co. and the Adams Express office." This place was bridged with cooking-stoves, sacks of

Chile flour, bags of coffee, and boxes of tobacco; and one yawning pit was stopped with a piano. Nevertheless, there were clumsy or drunken pedestrians who would have sunk out of sight but for timely rescue. Hittell tells of two horses that were left in the mud of Montgomery street to die of starvation, and of three drunken men who were suffocated between Washington and Jackson streets. And yet the rains that were productive of conditions so desperate and deadly in the city brought showers of gold to the miners in the diggings, and the monthly yield of dust and nuggets was three times greater after November than it had been in the summer.

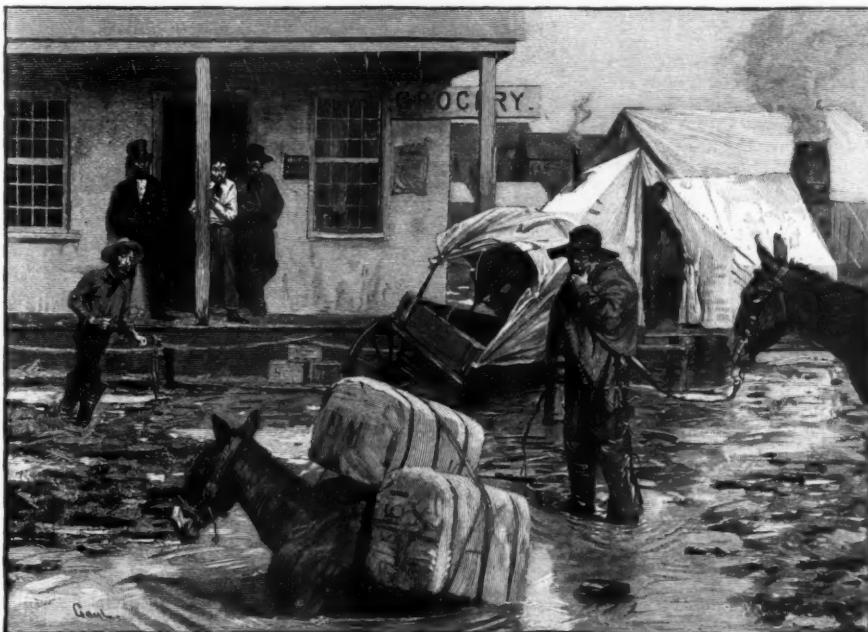
Standing on the piazza of the Old Adobe custom-house, on the upper side of the Plaza, or Portsmouth Square, and looking eastward across the open space, you had before you the Parker House and Dennison's Exchange, center and focus of all interest and all news to the San Franciscan of '49; and adjoining the Parker House, on the corner of the Plaza formed by the intersection of Kearney and Washington streets, was the El Dorado, most reckless of gambling-resorts and phenix of many fires. Amidships, on the north side of the square, was the original office of the "Alta California" newspaper, a journal which terminated its existence only a few months ago; and adjoining that, the Bella Union and Washington Hall—alike infamous, the former as a den of gam-

bling desperados and cutthroats, and the latter as a stew of polyglot debauchery.

Southward, on the Clay street side of the Plaza, and on the corner of Kearney street, was that historic adobe, the old City Hotel, the first important hostelry of Yerba Buena; and when the placers began to give out their treasures it was the headquarters of gambling miners, and overflowed with gold. "Scenes such as never before were and never again will be witnessed," said the "*Alta California*," "were common in the old City Hotel in 1848 and '49." In the spring of '49 the building was leased for \$16,000 per annum, cut up into small stores and offices, and subleased at an enormous advance; but the City Hotel was "gobbled up" in the great fire of June, 1851. Higher up, on the south side, was Sam Brannan's office, where that redoubtable Mormon arraigned the "Hounds" before a concourse

Leavenworth or a Geary; and midway between the Old Adobe and the Parker House stood the original flag-staff, boldly flaunting Uncle Sam's title-deed to the land of gold.

The Old Adobe was a conspicuous landmark in the San Francisco of those wild times, and most dear to the memory of every Forty-niner. In the early days of the American occupation it had been used as a military barrack and guard-house, and later it became the first custom-house of San Francisco. Asedate, drowsy-looking structure, with sturdy brown walls, a low-pitched roof, tiled in the true rancho fashion, a long, rickety porch with planking all adrift, and posts and railings elaborately whittled, the Old Adobe from its coign of vantage on the higher ground overlooked the Plaza and took note of the various devilment that marked its reckless doings; while, with that handy cross-beam at the south end of the porch, it seemed



A MUDDY STREET IN SAN FRANCISCO.

of exasperated citizens, and demanded their summary stamping out. Across the way, on the southwest corner of the Plaza, was the little frame school-house—the first school-house, which became, afterward, a concert-hall for Steve Massett's musical eccentricities, and then a police-station for a most inefficient constabulary. Between the school-house and the south end of the Old Adobe was the alcalde's office, where justice was informally dispensed by a

to wait with cynical patience until the coming vigilance committee should bring their first victim their short shift and their long rope. The ever-open portal admitted you to a wide vestibule which divided the house into unequal wings, and showed you on one side the desks of the inspectors and deputies, and on the other the sanctum of the collector—an imperturbable and dapper little man whose supernatural equanimity was the admiration of the time and place,



THE POST-OFFICE IN SAN FRANCISCO, 1849-50.

DRAWN BY A. CASTAÑE.

A. CASTAÑE.

ENGRAVED BY A. H. G. WHITNEY.

imparting an air of repose and hospitality to all his surroundings, and making even his iron safe, which should have been the grim receptacle of the public treasure, seem but a pleasing and confiding joke, seeing that he usually kept it as open as his own countenance, and free to display its golden lining to the day.

On the 22d of June, 1851, the Old Adobe disappeared from the map of San Francisco, swallowed up in that last great fire which devoured the City Hotel and the City Hospital, the Jenny Lind Theater and the office of the "Alta California." Other adobe houses characteristic of the old California life were the Mowry dwelling and the residence of Señora Briones, both on the northwestern skirt of the town. These were all of one story, and roofed with tiles. The entrance was set fairly in the middle of the front, and there was usually a hall extending from the front to the back door and equally dividing the house, so as to give a large sitting-room, which was also used for a guest-room, on one side of the hall, and on the other a bed-chamber in front and a kitchen at the back. In several of these houses the guest-room and the bed-chamber were floored with tiles of marble in alternate black and white, and the cornices showed some fair attempts at carving; these apartments were always hospitably furnished, and on occasions of entertainment made pretensions to luxury.

The post-office of that time was a frame building of one story and an attic on the corner of Clay and Pike streets. There was but small accommodation here for clerks and "handlers," and still less for the impatient and peremptory crowd of home-hungry men who came daily, but most of all on mail-day, which was once a month, and took the small windows and loopholes by storm. To avoid confusion and dangerous conflict, long queues were formed, extending from the windows along Clay street to the Plaza, and along Pike street sometimes as far as Sacramento, and even to the chaparral beyond. Here traders, miners, merchants, gamblers, and adventurers of every complexion waited in their places, often from the afternoon of one day, all night long, to the morning of the next, in the mud and the soaking rain, with weary limbs and anxious hearts. Men whose strength was unequal to the strain were glad to employ others to hold their places for them through the long hours; and there were those who, while not seeking or expecting letters for themselves, secured good standings in the line before the coming of the crowd, only to sell their right of place to richer men whose time was money. From ten to twenty dollars was a common price for such service.

The gamblers of '49 constituted a controlling class with whom was all the physi-

cal, moral, and financial force. Abounding in ready resources of a mixed and mysterious kind, and unscrupulous in the application of them; themselves well stocked with the adventurer's courage, and their courage imposingly backed up with six-shooters; numbering in their society, whether as professionals or amateurs, many of the "first men" of the city; having the largest show of "smartness," if not of a finer intellectuality and higher wisdom; of sophisticated observation, reckless speculation, and, most important of all, cash; paying the highest rents, monopolizing the most desirable business sites; prompt in applying every new and admirable improvement, commanding every comfort that invention or expensive labor could supply, every luxury that fine raiment, and pictures, and shows, and music, and wine, and a motley "world of ladies" could stand for — no wonder that they swayed the city, and carried the day with a high hand. For they paid twelve per cent. a month for money, and were ready to take all they could get at that price, offering securities in the goodwill and fixtures of one "saloon" or another, a house, a lease, a water-lot, a bank.

Moreover, the gambler of '49 was no vulgar villain of the sordid stripe; he had his aspirations; it was proud game he hunted, and he put his own life into the chase. The law being to play fair or die, and the finest distinctions of the *meum* and *tuum* being defined by the pistol, it is easy to understand that there were honest gamblers in San Francisco in '49; in fact, I will go so far as to assert that, as a class, no others were so strict and punctual in all their dealings. No investment was safer or more profitable than a loan to a gambler; no rightful claim was more easy of collection. Nor were these men, though most dangerous on certain points of professional prerogative, by any means habitually quarrelsome. On the contrary, they were often the peacemakers of a fierce crowd whose explosive passions were stirred, constituting themselves an extemporaneous vigilance committee, in the name of the law and order they had themselves set up for the occasion; and then woe to the refractory!

As I have elsewhere said, not uncommonly the professional faro-banker of '49 was a farmer-like and homespun man, with a kindly composition of features and expression, patriarchal in his manners, a man to go to for advice, abounding in instructive experiences of life, and full of benevolent leanings toward the world; a man to lounge about the porticos of hotels, reading his "Alta," or the latest home papers, projecting city improvements and public charities, discussing important enterprises, overhauling the business of the ayuntamiento, considering at large the state of the country, defining the duties of



OLD ADOBE, USED AS CUSTOM-HOUSE.

Congress toward California, portraying the future of the State; and then — starting out to make the round of the tables, and deliberately to set about “breaking the bank.” I have known such a man to take, in one day and night, five out of seven monte banks, besides a faro bank or two, seat his own dealers at them to keep the game going, and then subside into his pipe and newspaper, his political economy and projects of benevolence.

Of such was the fraternity that swayed the city in those days, and the secret of their paramount influence lay, partly, in their harmonious combination of the preëminently American traits—a faculty of taking accurately and at once the bearings of new and strange situations, fixity of purpose, persistence of endeavor, audacity of enterprise, ready hazard of life, ever fresh elasticity of sanguine temperament, but principally in the imposing figures of an omnipotent cash capital, wherewith they knew how to feed the enormous cravings of the people, and mitigate their privations and their pains.¹

The people eagerly accepted the treacherous comforts and solacements so seductively displayed on the green cloth; and gambling became the recreation of the honest toiler or trader, as well as the revel of the reckless buccaneer. While occupations were as various as the needs and makeshifts of those who had recourse to them, it may be said that in all that din and bustle and hurly-burly there was but one pursuit. Miners and boatmen, laborers, mechanics, and builders, merchants and clerks and peddlers, thimbleriggers and fakirs from the streets, lawyers, physicians, judges, clergymen—all alike found a rapture in faro or bluff, a distraction in roulette or rondo, an edifying experience in monte or rouge-et-noir. The bar and the green table went into partnership, and, with a joint stock of cards and chips, decanters, fiddles, and pictures, and reckless wo-

men, did a madly merry business. There were hundreds of such places where, in the evening and all night long, keen fellows, horribly quiet, shuffled the fateful cards with deadly deliberation, or where bedeviled women, horribly beautiful, greedy, and cruel, twirled roulette-wheels to the mockery of music.

The great “saloons” were on the Plaza: all of the east side and the greater part of the north and south sides were given up to them. In each of these from ten to a dozen tables waited for players—for the man whose “blood was up,” or the man who was bored, or the pleasant fellow who “might as well amuse himself.” The man whose blood was up usually began with a stake of a thousand dollars and ended with fifty cents, and lost it; and the pleasant fellow who would amuse himself usually began with fifty cents and ended with a thousand dollars, and lost it; while the bored man won and won, and “took no interest.” Piles of coin in gold and silver, bags of dust, and gold in nuggets, lay in the middle of the table; and the game went on in sweet repose and pensiveness, not even broken when the stakes were at their highest, and the spectators, standing three lines deep, waited for the luck of “that long-haired stranger who came to break the bank.”

“Everybody gambled”—that was the excuse for everybody else. The phenomenal exception was the man who, having lost his all at three-card monte on the head of a barrel in the Plaza, was thereupon seized with acute compunctions on moral grounds, and a luminous theory of the ratio of chances. “While profits and wages were so high, while there were no homes, no comfort or decency to be found in lofts and bunks, men thought to take refuge in riotous excess, seeking for rest and recreation

¹ J. W. Palmer, “The New and the Old.”

in gambling-hells, and bar-rooms, and dance-houses."¹ To find the few virtuous and worthy women of that time, you must have sought for them in tents and makeshift harbors, safely withdrawn from the public gaze, or else in the struggling beginnings of churches that feebly held their little forts against the banded forces of a multifarious godlessness.

From the upper corner on Washington street to the lower corner on Clay street, the people filed across the Plaza, between the Old Adobe and the Parker House, in an unending procession, or broke into motley groups of many colors and many tongues, and loitered by the flag-staff, among the trucks, and the oxen, and

that they had sown the wind to reap the whirlwind. The Chinese quarter in San Francisco became, it was charged, a hotbed of depravity and crime. The opium-habit spread among the white youth of both sexes, and fetid dens were open day and night."² The oath of a Chinaman became a joke in the courts, and it was proved that in the Chinese quarter rewards were covertly offered for the slaying of innocent witnesses. Thus anti-Chinese legislation, for the suppression of the Chinese high-binder, became a foregone conclusion:

But there are Chinese and Chinese; they are not all coolies and highbinders. In "Little China," as the district which includes Dupont



CORNER OF THE PLAZA, FEBRUARY, 1850.

the mules, the stalls of the small venders, and the handy boxes and barrels of the fakirs and thimbleriggers, and the dealers of three-card monte; while from time to time some jingling ranchero, picturesque in serape, sombrero, and silver bell-buttons, and heeled with formidable spurs, would come caroling across the square, making a circus of himself for the delectation of señora and madame. Always conspicuous among these was the ubiquitous Chinaman, "child-like and bland," but slyly twinkling with the conscious smartness of ways that are as hard to find out as the thimble-rigger's pea, which he so cunningly resembles.

There is record of two Chinese men and one woman who came to California on the bark *Eagle* from Hong-Kong in 1848. By February, 1850, these had been followed by 787 men and two women, and still they came. Beginning in the mines, they spread into the farms and gardens, and thence into workshops and factories, out-bidding the Caucasian with longer hours of work and smaller pay. "Then the men who had given them employment, displacing the American and European workmen, soon found

street and the upper part of Sacramento street is called, were many respectable and wealthy Chinese merchants, men who trafficked in the goods and wares of their country, and were regarded by their Caucasian neighbors as shrewd, polite, and well informed, having consideration for their social caste, holding themselves aloof from the washermen and the porters, and, so far as the exigencies of their business permitted, living retired. In common fairness they were not to be reckoned with the keepers of gambling-dens, opium-joints, and brothels, but rather to be accepted as an honorable protest and appeal in the interest of that class of their people who are industrious, decent in their lives and manners, and of good report, who are contented, peaceable, and thrifty, and who hold it a point of honor that the Chinaman who cannot pay his debts must kill himself for the credit of the survivors.

Even in those days a sentiment of Sundayness might be found in the suburbs of San Francisco; and in an equestrian scamper to the Lagoon, the Presidio (the old Spanish cantonment), or the Mission San Dolores, one might

¹ "Annals of San Francisco."

² San Francisco "Chronicle," September 7, 1890.



MISSION SAN DOLORES — SUNDAY AFTERNOON.

give his heart an airing. The Mission, so intimately associated with the early history of Yerba Buena and the later San Francisco, though it had been projected ever since the discovery of the bay in 1769, was not founded till 1776. The site was a small, fertile plain, embosomed among green hills, about two miles from the center of the present city. Several rivulets of clear, sweet water mixed their streams to form the larger Mission Creek. Further north were the bleak and sterile sand-hills on which the site of the present city was pitched; but the Presidio was more happily placed, and the small cove on the east, within the narrow entrance to the bay, afforded shelter and good anchorage.

The old Mission Church of 1850 was a spacious building of adobe, very plain without and partly whitewashed, except the front, which was relieved by certain crude architectural decorations, and showed several handsome bells. The interior was somber, grim, and cold. On the walls were rude paintings of saints and sacred subjects, and tinsel ornaments decorated the altar. But mass was still celebrated in the gloomy pile for the spiritual comfort of a small company of worshipers, mostly women of the Spanish races.

But the Mission was the favorite resort of holiday-makers from the city, especially of the Sunday revelers. Here bull-fights were held, and bear-baitings, and prize-fights of pugilists, and horse-races, and duels, and all the other mild diversions of the Forty-niner; and bars and gambling-tables supplied abundantly the indispensable refreshment and risk. Over the plank road, constructed in 1850, came an endless cavalcade of dashing equestrians of both sexes, and the highways extending southward to San José invited to pleasant excursions among green fields and hills.

But, after all, it was but a ghastly jollity, for under and all around it were destitution and disease, crime and despair and death. For the sick, the friendless, and the utterly broken there

were, for many months, no infirmary, no hospital fund, no city physician.

"Your honor, and gentlemen," said the eccentric Mr. Krafft, addressing an imaginary ayuntamiento, "we are very sick, and hungry, and helpless, and wretched. If somebody does not do something for us we shall die; and that will be bad, considering how far we have come, and how hard it was to get here, and how short a time we have been here, and that we have not had a fair chance. All we ask is a fair chance; and we say again, upon our honor, gentlemen, if somebody does not do something for us, we shall die, or we shall be setting fire to the town first, and cutting all our throats."¹

For these were the times when scurvy men were landing from the ships, and men crippled with rheumatism, and wasted with dysentery, and delirious with pneumonia and typhoid fever, were taking refuge in the city, to find only the bare, wet earth for a bed, under a leaky tent, or a foul bunk in the loft of a shanty, where a man had never a chance to die like a man, because of the cruel, carousing crew in the den below; no doctor, no nurse, no balm, no wine or oil, no cup of cold water, no decent deathbed. And so we found their poor, cold, silent corpses in lonely tents apart, or in the bush, or under the lee of a pile of lumber in Sacramento or Montgomery street; and we dug a hole and buried them right there, and the city of San Francisco is their gravestone, and this story is their epitaph.

Here is a passage from the address of the alcalde, Colonel John W. Geary, to the ayuntamiento in August, 1849:

At this time we are without a dollar in the public treasury, and it is to be feared the city is greatly in debt. You have neither an office for your magistrate, nor any other public edifice. You are without a single police officer or watchman, and you have not the means of confining a prisoner for one hour; neither have you a place to shelter sick and unfortunate strangers who

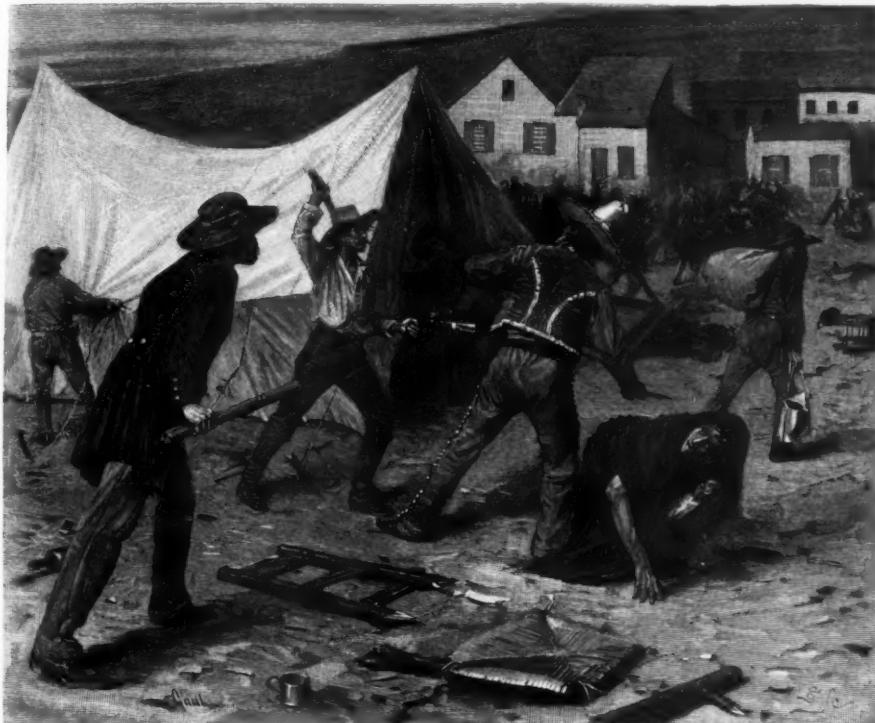
¹ J. W. Palmer, "The New and the Old."

may be cast upon our shores, or to bury them when dead. Public improvements are unknown in San Francisco. In short, you are without a single requisite for the promotion of prosperity, for the protection of property, or for the maintenance of order.

Organized bands of ruffians, including thieves, burglars, and roughs, ever ready with knife and pistol, roamed unchallenged. Depradation and assault became familiar incidents

them fast bound with his "Thus saith the Lord your God!"

Most dangerous, and for a time most numerous, of the immigrant criminals who came to recruit the gangs of "Sydney-town" were the old convicts and ticket-of-leave men from Van Diemen's Land and New South Wales, who feared nothing but the gallows anywhere, and even that not at all in this land of devil-may-care, where prosecutors and witnesses were too



"HOUNDS" ATTACKING CHILIANS.

in the life of the town. The conflagrations which subsequently laid waste the most valuable districts were traced or ascribed to the handiwork of "Sydney coves" and "Hounds," who plundered under cover of the general confusion and dismay incident to a great fire. And everywhere was the reckless apathy of "every man for his own hand," every man a law to himself, and the six-shooter his only constable. Only on a Sunday afternoon, on the piazza of the Old Adobe, was the voice of the prophet heard in righteous rebuke and warning—the voice of brave old Father Taylor, lifted up in stentorian psalm and prayer, arresting the passing miner and gambler, the "Sydney cove" and the courtezan, and holding

busy to concern themselves with courts; where judges were ignorant, careless, or corrupt; where trials were too costly for a bankrupt city; and where a man might hide easily and utterly under an alias or an alibi, a pea-jacket or a serape, a smooth face or a ragged beard.

The quarter known as "Sydney-town," the "Five Points" and the "Seven Dials" of San Francisco, lay around Clark's Point, in Broadway and Pacific street. Here a policeman hardly dared to enter, night was made hideous with debauchery and assaults, and for a few ounces a fellow could be hired to kill a man or fire a house, and no questions asked. "Although hundreds of murders had been committed" by the desperate denizens of these and other



THE FIRST HOTEL AT SAN FRANCISCO.

quarters, "and many murderers had been arrested, not one had been hanged, either legally or at the hands of self-appointed executioners; and the very courts themselves had become a by-word."¹

But the very excesses and intolerable outrages of this state of things presently compelled their own stamping out by methods that were short and summary. On the 15th of July, 1849, a gang of young men who called themselves "Regulators," but were commonly known as "Hounds," and who were the "Mohawks" and "thugs" and "plug-uglies" of that time, proceeded to "take the town" after a fashion which they had made their own. This gang, which had been first heard of toward the close of 1848, began to make itself felt and feared in the spring of the following year. Under the pretense of mutual defense against the encroachments of foreigners, especially Chileans, Peruvians, and Mexicans, they had adopted a sort of military organization with a regular headquarters, which they called Tammany Hall, in a tent near the City Hotel. They paraded the town in broad daylight, with flag and fife and drum, armed with revolvers and bludgeons; and at night, when the streets were dark and unguarded, they often raided saloons and taverns, eating and drinking at the charge of the proprietors, and afterward making a wreck of stock and furniture in the very devilment of wantonness and fun.

Returning from a marauding excursion to the Contra Costa on the afternoon of Sunday, the 15th of July, they made the rounds of the town, equipped in fantastic toggery of ponchos

and Canton crapes, pillaged from Spanish-American and Chinese shops; and in the evening they marched upon the tents of the Chileños, cuffing and kicking the women and children, and clubbing and shooting the men, tearing down the tents, destroying their scanty furniture, and plundering them of clothing and valuables.

The limit of that criminal apathy which had so long passed for patience was reached at last. On the 16th the community of "all good citizens" met on the Plaza in response to a proclamation of Alcalde Leavenworth, who had been urged to vigorous action by a committee of merchants and others. The meeting was organized with Mr. W. D. M. Howard as chairman and Dr. Fourgeaud as secretary. Sam Brannan addressed the multitude, and denounced the "Hounds," and the whole foul herd of criminals and miscreants, in unmeasured terms. A subscription was opened for the relief of those who had suffered by the outrages of the 15th; a volunteer police force was organized, consisting of 250 special constables, armed with muskets and revolvers, and commanded by Captain W. E. Spofford; and that same afternoon twenty of the "Hounds," including Sam Roberts, their leader, were captured and lodged on board the United States ship *Warren*. On Tuesday a grand jury of twenty-four citizens found a true bill against the prisoners, who were brought to trial on Wednesday before a jury specially impaneled. Sam Roberts and his mate, Saunders, were sentenced to ten years' imprisonment with hard labor, and the others to shorter terms with fines. But these penalties were never enforced. Several of the leaders were sent out of the country, the rest were set at liberty; and although the "Hounds" were muz-

¹ San Francisco "Chronicle," September 7, 1890.

zled, other criminals and desperados, more daring and dangerous than they, were encouraged to show a bold front and strike deadlier blows. The famous Vigilance Committee of 1851, with its swift and tragic executions, was the inevitable response to the general cry for retribution and protection.¹

The hotels of San Francisco may be regarded as the consummate product of that primitive system of coarse feeding-places which began in 1848 in the makeshifts of a mining-camp, and was developed in the growth of "saloons" and restaurants of every imaginable description: dining-rooms, chop-houses, cabarets, and fonda. There were cooks for every people and tribe under the sun—American, English, German, French, Italian, Chilean, Mexican, Chinese, Kanaka, Negro. There were beef and mutton from the ranches, fish from the bay and rivers, bear, elk, antelope, hare, squirrel, quail, duck, snipe, and plover from the inland hills and valleys, vegetables from the Pacific islands, and fruits from more distant ports. A hungry man might make a tolerable meal on beef at fifty cents, pork or mutton at seventy-five cents, a dozen canned oysters for a dollar, and a baked potato for half a dollar; or if his appetite was dainty and his pouch full, he might indulge in roast duck at five dollars, broiled quail at two dollars, and "top off" with sardines and *pâté de foie gras* regardless of expense.

Mr. Winn, the proprietor of the Fountain Head and Branch, arrived in San Francisco in 1849 without a dollar. He started business by making candy with his own hands, and peddling it about the streets on a tray slung from his shoulders by a pair of old suspenders. The San Francisco "Commercial Advertiser" of the 6th of April, 1854, notes that Mr. Winn "paid for ice and eggs last season (five months), \$28,000; for one month's advertising, \$1600; receipts at his two houses average \$57,000 a month; has paid \$200 a month for water; to one man in his employ, \$1000 a month and his board; has paid \$3000 for potatoes, and \$5000 for eggs, for the same time; and fed poor and hungry people at a daily cost to him of \$20."

The first of the San Francisco hosteries, in point of time, was the old City Hotel, which was built of adobes in 1846 at the corner of Clay and Kearney streets, and, until after the discovery of gold, was the only notable public house. Then followed, in 1849 and the succeeding years, the Parker House, the Graham

House (afterward the City Hall), the St. Francis, the Union (destroyed in the fire of May 4, 1851), the Oriental, the Tehama, Wilson's Exchange, the Rasette House, and others.

The public amusements of San Francisco may be said to have begun at the old school-house on the Plaza on the evening of June 22, 1849, when Mr. Stephen C. Massett appeared in a sort of musical monologue, with recitations and imitations. The small room was filled, "front seats" being "reserved" for the four ladies who were present. The piano used on this occasion was loaned by Mr. Garrison, the collector of the port, and was said to be the only one in California; the charge for admission was \$3, and \$16 was the price paid for removing the piano from the custom-house to the school-house, half-way across the



THE FIRST SCHOOL-HOUSE, SAN FRANCISCO.

Plaza. In 1849 and 1850 there were equestrian and acrobatic performances in tents,—Rowe's and Foley's circuses,—and in January, 1850, the first dramatic performance was given in Washington Hall, "The Wife" and "Charles II." being indifferently played by a small company to a large audience. In April, 1850, a French vaudeville company appeared in a neat little house on Washington street near Montgomery, and, in September following, the original Jenny Lind Theater offered its attractions over the Parker House saloon on Kearney street. This house was destroyed in the fire of May, 1851. The large brick and stone building known as the New Jenny Lind, afterward the City Hall, was opened on the 4th of October, 1851, and the American Theater on Sansome street on the 20th.²

The school-house on the Plaza was appropriated as a place of public worship in October,

¹ See this magazine for November and December, 1891.

² "Annals of San Francisco."

1848, the services being conducted by the Rev. Dwight Hunt, a missionary from the Sandwich Islands, who is remembered as the first Protestant clergyman in California. The little house was filled at every meeting, and on the first Sunday in January, 1849, the first Sacrament of the Lord's Supper was administered to twelve communicants of different denominations. That congregation was composed of people who were not hampered by sectarian prejudices, or concerned to cavil about creeds and forms. The steamship *California*, which arrived in February, brought four missionaries from New York—Messrs. Wheeler, Baptist, and Woodbridge, Douglass, and Willey, Presbyterians. On the 1st of April the steamer *Oregon* brought the Rev. Albert Williams, who, after preaching for a while in the school-house, on the 20th of May organized the first Protestant society in the new city,—the "First Presbyterian Church,"—which was started with six members. In this small but notable group were Sarah B. Gillespie of the Presbyterian Missionary Church at Macao, China, and Mr. Frederick J. Billings, of the First Congregational Church at Woodstock, Vermont. This gentleman, by the early and earnest part he took in the moral sanitation of the city, won for himself an honorable name in her annals as a conspicuous pioneer in all good works; he was associated with General Halleck in the practice of law. The place of worship of this brave little congregation was on Dupont street in a tent that had been the marquee of a military company in Boston. This temporary accommodation was superseded in the fall of 1850 by a church edifice, complete with pulpit, pews, lamps, and bells, which was brought out from New York and set up in Stockton street near Broadway; but five months later it was burned, in the great fire of June 2, 1851. Although this represented the first religious society organized in San Francisco, it was preceded as a church edifice by the "First Baptist Church," on Washington street between Dupont and Stockton streets, erected to accommodate the congregation gathered by the Rev. O. C. Wheeler, who had arrived in the *California* in February, 1849. Then followed the "First Congregational Church," organized in July, 1849; "Trinity Church" (Episcopalian), and Grace Chapel, under the rectorship of that devoted missionary, Dr. Vermehr, who, in February, 1854, resigned the principal charge to Bishop Kip.

The early Roman Catholic "Church of St. Patrick," in Happy Valley, with its school and orphan-asylum, and those at the Mission San Dolores and in Vallejo street, were largely attended, and services were held in English, French, and Spanish. Jewish synagogues and

Buddhist temples have their place in the religious history of the city, which, beginning with the Mormon elder, Sam Brannan, became in time worthy of the ministrations of Bishops Alemany and Kip; and no man did more to pilot her skittish flock to nobler heights than that brave, pertinacious, and magnetic Methodist, William Taylor, whose church was the open Plaza, and his pulpit the porch of the Old Adobe.

On the 4th of January, 1849, the "Californian," which in November, 1848, had been consolidated with the "Star," changed its name to the "Alta California." At first it appeared as a weekly, then three times a week, and finally it became the first daily paper in California. Then came in quick succession the "Journal of Commerce," the "Pacific News," and the "Daily Herald." On the 1st of August appeared the "Picayune," the fifth daily, but the first evening paper. These were followed by the "Courier," the "Chronicle," the "Bulletin," and others, including German, French, Italian, Spanish, and even Chinese newspapers, all of them marked in a greater or less degree by the ability, enterprise, pluck, and vim which are the characteristics of the country.

In describing the familiar features which should appear in a picture of the San Francisco of those golden years, the auction is not to be forgotten—that last resort of the consignee or supercargo who could find no storage for his shipment, no ready purchaser at any price. There were neither wharves nor warehouses to accommodate the overflowing freights brought by incoming fleets of merchantmen. Lighterage from ship to shore cost four dollars a ton, and the monthly rate for storage was ten dollars a ton. Perishable goods were often a total loss; cargoes were, in some cases, reshipped to the Atlantic States without breaking bulk. Excessive and indiscriminate shipments could but result in wholesale waste and recklessness, and the only relief was to be found in auctions of a slap-dash kind, conducted by any man who might see fit to put up a sign near the water-front.

At first the principal landing-place was at Clark's Point, where the water was deep at the rocky shore; but by October, 1850, there were wharves of considerable length at Market, California, Sacramento, Clay, Washington, Jackson, and Pacific streets. The aggregate length of all the wharves exceeded six thousand feet, and the cost to that date amounted to a round million.

The famous clippers which had excited the admiration of the world of men who "go down to the sea in ships" by the beauty of their lines, their buoyant grace, and their capacity to carry great spreads of canvas, were racing against

time around Cape Horn, to land on the wharves of San Francisco cargoes for which there might be no market, but at rates of freight that nearly paid the cost of the ship in a single run. Those were the days of the *Gray Eagle* and the *Grayhound*, the *White Squall* and the *Flying Cloud*, the *Typhoon* and the *Trade Wind*, and the *Sovereign of the Seas*—true couriers and wild riders of the main, that made the very storms their servants.

On Telegraph Hill—on the very spot where in 1847 our citizen of Yerba Buena had stood

was made in not less than seven or eight days, "fares, \$30 cabin, \$20 deck, and \$5 extra for berths; meals on board, \$2." In 1855 a good boat could make the distance in half a day.

It is usual to speak of the conflagrations which from time to time laid waste the most populous and bustling parts of San Francisco as the "great fires," because any one of them sufficed to fill the measure of a citizen's conception of ruthless devastation and dismay. There were six of them, beginning with that of Christmas Eve, 1849. Then thin boards



A LODGING-HOUSE INTERIOR.

watching the incoming of the *Brooklyn* with her dispensation of Mormons—Messrs. Sweeny and Baugh erected early in 1849 a lookout, or observatory, which commanded the approach and entrance to the Golden Gate, and by means of a code of signals kept their patrons of the city informed of the approach of vessels of every class, from coasting craft to man-of-war. At a later day a station was established nearer the ocean, which transmitted earlier intelligence by signaling the inner telegraph-house.

Until the fall of 1849 small schooners and launches had afforded the only means of navigation across the bay and up the Sacramento and San Joaquin rivers; but in September a little iron steamer called the *Pioneer* began to ply the waters of the Sacramento, and was shortly followed by the *Mint*, the steam-propeller *McKim*, and the *Senator*. At first the run

and lath, and flimsy cotton cloth, and painted canvas, were licked up like tinder by the lapping tongues of flame. The fire began in Denison's Exchange, on the Plaza, in the early morning. That notable landmark of the Forty-niner, the Parker House, and all the buildings on Kearny street between Clay and Washington streets, were obliterated from the map of the city. It was the work of minutes, and the loss was a million. On May 4, 1850, the second great fire broke out on the site of the first, and swept away in its amazing rush and roar three entire blocks in the heart of the city. This time the loss was four millions. In the first conflagration it was the gamblers who had chiefly suffered; now it was the merchants. Six weeks later, on the 14th of June, when the wind was high, the entire district bounded by Clay and California streets, Kearny street and



FREDERICK J. BILLINGS.

the water's edge, was swept away, buildings and goods being almost totally consumed.

On the 4th of May, 1851, the anniversary of the second great fire, the city was desolated by a conflagration which is remembered as *the great fire*. It made a jest and mock of "fire-proof" buildings, and iron frames and doors and shutters curled up in the flames like cardboard. It began late on the night of the 3d, in a store on the south side of the Plaza. The wind rose with the flames, and whirled them south and north; the streets beneath the planking became great flues; the whole business part of the city was a roaring furnace; and the reflection is said to have been visible in the sky at Monterey, a hundred miles away. Ten hours sufficed for the destruction of nearly two thousand houses; eighteen whole squares, with portions of five others, in the most important part of the city, were almost totally obliterated, and the loss was estimated at \$12,000,000. On what had been the streets, men said, "Well, the bay is here, and the people are here, and the placers are left!" And they went straightway to work and built a new city, richer, stronger, handsomer than before. Hit-tell says of these fires that they exercised an important influence upon the politics and trade of the city. "The fire of May, 1851, was attributed to incendiaryism. The amount of property exposed in the streets was so great that the

citizens banded themselves into a committee of vigilance, which soon extended its jurisdiction and hanged murderers as well as protected property. Merchants put their goods into store-ships, and the harbor was filled with old hulks until 1854, when brick stores, really fire-proof, began to furnish room and safety on shore. Unable to make bricks or cut stone except at terrific cost, orders were sent abroad for combustible building materials. Granite was brought from China or from Quincy, lava from Honolulu, and bricks from Sydney, London, and New York." Out of the ruin and waste sprang new life, new forces, higher hopes, and nobler endeavors.

By 1852 the characteristics of a Spanish town had well-nigh disappeared from San Francisco. From Clark's Point to the Rincon, all had become American. The jingling ranchero, ostentatiously sombrero'd and bespurred, had been superseded by equipages familiar in the Eastern cities; omnibuses plied between the Plaza and the Mission; the "steam paddy" was busy in Happy Valley; and the sand-hills at the back of the town were being dumped into the water-lots in front. The city was moving bayward, and new streets were growing upon piles. "Where once floated ships of a thousand tons, now were great tenements of brick securely founded in the solid earth."

The sleepy little Yerba Buena of 1847 had become a metropolis of factories and great

stores, of schools and churches, of newspapers and theaters, of benevolent institutions and public works, of stage-coaches and mails, expresses and steamers; a city of brilliant bustle and magnificent dissipations. But a dollar was no longer paid for a pill, nor ten dollars for an ounce of carpet-tacks; for everybody was trying to sell, and everywhere was glut in spite of the ravenous extravagance and waste. Auctioneers tossed off ship-loads of merchandise for a song, and the enormous loss fell upon the foreign shippers; so "happy-go-lucky" was the temper of the hour, and a canter to the Presidio or the Mission, or a picnic excursion to the Contra Costa, was the usual diversion in the intervals of business.

In August, 1850, the Society of California Pioneers was called into being, mainly through the influence and efforts of Messrs. Howard, Brannan, Bryant, Wadsworth, Folsom, and others; and its first appearance as a civic organization, preceding all others in California, was in the public obsequies appointed to honor the memory of President Zachary Taylor, on the 29th of that month. The officers first

invested all his means in the sterile sand-lots of Yerba Buena, and waited for the coming of the great city he foresaw.

The records of that parent society were destroyed in the great fire of May, 1851, with the exception of one book containing the constitution and the signatures of a few members. The officers, who had been chosen to serve a twelve-month, were compelled by the exigencies of that memorable period of disaster, danger, and turmoil to hold their respective places for three years; but in the imposing demonstration by which the admission of California into the Union of States was celebrated on the 29th of October, 1850, the Society of Pioneers appeared in force, and made a conspicuous impression by their moral and intellectual prestige. On the 6th of July, 1853, the association, which owing to the local troubles had so long been unable to meet, was reorganized at the Oriental Hotel, when Mr. Brannan was elected president; Messrs. Larkin, Snyder, and Lippincott, vice-presidents; and William Tecumseh Sherman, treasurer. The society as at present constituted is a social and benevolent, as well as a historical, scientific, and

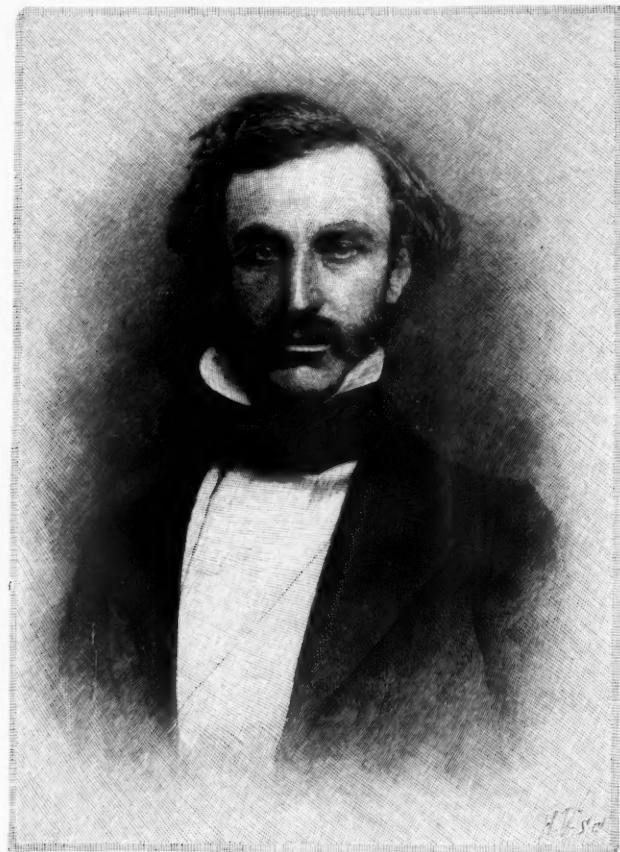


DENNISON'S EXCHANGE AND PARKER HOUSE, BEFORE THE FIRE OF DECEMBER, 1849.

elected were Messrs. Howard, president; Brannan and Snyder, vice-presidents; Bryant, Parker, Folsom, and Wadsworth, secretaries; and Talbot H. Green, treasurer. Among these associated pioneers Captain Folsom was a conspicuous figure. He came to California as a staff-officer in the quartermaster's department of Stevenson's regiment, and was eventually made chief of that department on the North Pacific coast. With notable foresight, long before the apparition of the golden wizard, he

literary association; and its objects are to collect and preserve information relating to the early settlement and subsequent history of the country, and "in all appropriate matters to advance the interests and perpetuate the memory of those whose sagacity and enterprise induced them to settle in the wilderness and become the founders of a new State."

In the impressive list of honorary members and distinguished guests who in the past have imparted distinction to the meetings of this



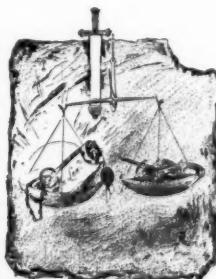
PHOTOGRAPHED BY TABER.

CAPTAIN J. L. FOLSOM.

most interesting association are to be found the names of Generals Sherman, Rosecrans, Wool, Frémont, Halleck, Schofield, Sutter, and Vallejo, and the Revs. Henry W. Bellows and Thomas Starr King.

Originally it was a condition of membership that the applicant should have arrived in California prior to the 1st of January, 1850; but the constitution has since been amended so as to admit the sons of pioneers.

John Williamson Palmer.



REFFEY.

By the author of "A Common Story," etc.

I.



DAVE LEWIS ran passenger-train No. 14 over the range one day, and brought back passenger No. 3 the next. No. 14 dined at Topaz and supped at Mitcham's, as they said on the road; No. 3 reversed the arrangement.

Lewis was required to report his train from Mitcham's, where he knew the manager of the eating-house and the telegraph-operator. Both were young women.

For the last two months Reffey Deacon had not been sending in meals to the telegraph-operator when she was busy. For the same length of time Mattie Baker had forgotten to send Reffey's provision order to Denver until the next day. Reffey used the post now, and Mattie came to the hotel dining-room for her meals, like anybody else. Lewis had jilted one girl for the sake of the other.

The two lived alone at Mitcham's; other than the servants, they were the only inmates of the house and the entire population of the town, which began and ended at the eating-station. Their nearest neighbors lived ten miles away on a ranch up among the hills behind the hotel. The front windows of the hotel looked out on a cliff. It was a thousand feet high, and Reffey and Mattie did not see the sun in the mornings until it shone vertically down into their nest. The eating-station, which was also a hotel, had been placed at the exit from Red Rock Cañon, as being the only spot within thirty miles large enough to accommodate it. The floor of the valley—lying between the cañon wall on one side and the hills that climbed, beyond the river, toward a rugged grazing country on the other—was not above two hundred yards in width; the structure which the railway company had erected on this grudging space was an oblong frame building two stories high, painted a railroad gray, and containing only ten practicable bedrooms, in addition to the big dining-room, the refreshment-room, and the ticket-office and telegraph-office, occupying the ground floor. But in the cañon, through which the railroad had stolen a perilous way, there was room for nothing larger than the huts of flag-men or track-walkers; and these structures

were likely to hang out over the river, propped at the fringe of the ledge along which the track wriggled and balanced. In summer parties of fishermen came to whip the Red Rock River, the stream that boiled and shouted through the cañon, and rooted night and day at the base of the rock on which the hotel was built. Holiday parties from the East, railroad-men in special cars, and English tourists, armed with expensive guns, also came at certain times, and spent a week or two at Mitcham's, troubling the echoes among the hills. But at other seasons the two women lived alone. The situation demanded an amiable relation between them, and was intolerable without it.

Dave and Reffey were to be married as soon as he could build her a proper house at Maverick. Reffey (the name represented her mother's fantastic shortening of Rebecca) had her own ideas regarding a fit residence, and was in process of imposing them upon Dave and upon his builder. Lewis was now "knocking down" more fares than before his engagement to Reffey: instalments on the house were coming due; he was beginning to look at furniture; and Reffey was in otherways an expensive young lady. Her standard of the presents to be expected from a lover in Dave's position was high.

The drummers, who had dared one another for a month to try it on with Lewis when he had first been promoted from the ticket-office at Denver, smiled at one another now when they met, and they winked at Lewis. Lewis, on these occasions, fixed his eye intently on the ticket in the hands of the passenger in the next seat, keeping the responsive wink for the baggage-car, the upper corner of the smoker, and the refreshment-counter at way-stations, where he came by cigars and drinks easily. Drummers who had once, long ago, stayed over a train or spent an extra night in a town rather than travel by his train now exchanged jokes with him on the purity of his first month's work on the road. The atmosphere was easy-going and friendly on Dave Lewis's train now that they all knew him for one of the boys, and the men who had lost money by betting during that first month that he had been put on the road by the company to spot the crooked work of other conductors now made him stand treat.

Dave asked them what they had taken him for, and they asked him how he expected them to "tumble" all at once to the fact that he was

one of themselves when he came straight from the Denver ticket-office. They quoted the other conductors as having shared their idea, and they wanted to know why he had kept them so long in suspense.

"Why, boys, to tell the truth, I was the young and blushing maiden of that situation. I had to wait until I was asked."

"The drooping violet of Maverick, that's what you were—the shy little Denver daisy. Remember the cigars and talky-talk I wasted on you before I got up sand to offer you three dollars for a five-dollar fare? One-seventy-five is all you get out of me these days, you old fraud. We've got to make you sweat somewhere for that shrinking violet business—eh, boys? Well, here's my regards!"

Einstein, whose line was cloaks and trimmings, blew the foam off his beer and drank to Dave.

These regular patrons of the road forgave themselves slowly for their obtuseness; but since the suspicion had been lifted from Lewis they made it a point of honor to treat him as if it had never been. Now that they had proved his innocence, there was not a more popular conductor on the road. It was true that he was not thought exclusive enough since his engagement to Refsey. He now distributed his favors over a wider area, and almost any traveler who was a little "fly" could make a deal with him. It was a poor system for the company, but it worked well for Refsey; and if Dave ever had any doubts about it from a moral point of view, they were more than solaced in her society. The company charged passengers too much and paid him too little, so that whichever way he looked at it he was a remedial agent. This was probably the dumb reasoning with which he satisfied his conscience; but, on the whole, it would be easier to say how a murderer excuses his crime than how a man sophisticates such stealings. The one point clear to Dave was that they were *not* stealings. Certainly he never called them so, and since no one else did, since even the company had no word for practices of this nature and no remedy for them but dismissal, and since cases like his never got into the courts, nor even, oddly enough, into the newspapers, he was at liberty to create his own moral world. In this world he and his wants were easily chief, and the railway—from which everything you got was so much clear gain, and even clear righteousness, yet, conveniently, too, a disembodied, soulless, dividend-paying corporation, which nothing could injure—was easily last.

Refsey had not been able to help letting Dave see from the first that she cared for him. It had begun on the day she arrived from Topeka, where she had acted as head waitress of

a hotel, to take charge of the eating-house at Mitcham's; and it may have been her evident preference for him which first flattered him into treason to Mattie. But his passion for her had not long needed a better reason than her own charms; once within the immediate range of them, her beauty inflamed him and he was snared by the strange, gipsyish, baleful witchery of a temperament scarcely more different from Mattie's than from his own. Her imperious, ardent loveliness ruled and fascinated him; Mattie's housekeeperly order of spirit and blessed calm of mind had merely cradled him.

He found the excitement of being engaged to Refsey a strain at times on a slow, mild disposition the actual need of which was a peaceful harbor; but, save when his conscience accused him for his faithlessness to Mattie's simple trust, he was aboundingly happy in the change. The characteristic quality of his feeling for Refsey was a huge admiration, and if he had been a woman, and she a man, he would have crawled at her feet; as it was, he let her worship him. But he continued to admire her. After a month's engagement she remained wonderful and inscrutable to him; entirely apart from his love, he could n't help feeling that he had made an astonishing bargain. Whatever else might happen, she was sure to remain the only person off her own piece of goods; and it was from this point of view, rather than out of the usual lover's feeling of his unworthiness, that he tried to live up to her. Every act of his life was penetrated with the thought of her, and none more than his daily reckoning up of his accounts with the company.

He was accustomed at the end of the day to find his way to the last seat in the smoker, which was likely to be vacant, and to pour out upon it the contents of his pockets, consisting of the tickets and money gathered from passengers on the trip. After counting and noting the tickets for his report, he told over the money for what he called a "division of the spoils." In these divisions, to which only one of the beneficiaries was a party, the company "got what was right"—that is, a little more than the least it was likely to accept without grumbling. But delicate questions often arose: there was not always enough to go around; the point of safety was not definite, nor was it invariable. It was n't even ascertainable, for yesterday's return might have aroused suspicion, while, on the contrary, it might have been so large as to form the germs of habit in the company's mind. The business had its good and its bad days, like another: when "commercial" travel was large, and Dave encountered other friends besides his drummers, the day was a success; if to this was added, by chance, a considerable flock of

passengers who had forgotten to buy their tickets, and who paid the full fare in the simplicity of their hearts (he gave them a duplex ticket, of course, but all contributions helped the exchequer), Dave remarked mellowly to himself that it was "a good day for ducks." If it had been possible to keep trade up to a really high standard, Dave would have become shortly a railway king, by methods not widely dissimilar from those generally recognized; but with all its faults it remained a lucrative business.

He liked best to divide with the company when he was making the western run, as every moment, in this case, brought him nearer to the object of these divisions, and to the object of all that he did. On these days he would usually begin his reckoning at the eastern end of the cañon, that he might know when he saw her what he had been able to do for her that day, even though he could n't speak of it to her.

He celebrated an unusually good day by treating himself to the best cigar that had been given him on the trip, lolling back on the front seat of the smoker, and making pictures of the smoke during the long run through the cañon, in which no stations occurred to disturb him. After a thirty-dollar day he usually put another story on the house, in these reveries, bought the big Persian rug which he had envied at Daniel & Fisher's in Denver, laid it on the parlor floor, seated Reffey in a deep wicker-chair on top of it, made the dull, rich red of the rug harmonize with the bronze red of her complexion, and with the flush of happiness on her cheek, caused her eye to rove from the rug to the furniture (red plush to match the rug—lots of gold on the chair legs), and from the furniture to the bright blaze he lighted on the hearth (their hearth!), and from the hearth to himself. The look of gratitude and love she gave him made his head swim in his vision, and, not to stint himself, he closed the scene by making her give him a royal hug of her own accord, just as the whistle sounded for Mitcham's—and down at the end of the cañon Reffey was taking her place behind the lunch-counter.

On the days when Dave brought No. 14 over the range from the east, Reffey went about her usual occupations with an attent ear. Long before the train came in sight on the bridge by which it crossed the river two hundred yards from the hotel, a whistle rolled down to her out of the heart of the cañon, multiplied in howling echoes. The whistle went to her heart, and, wherever she was, her dining-room girls would see her pause in her quick, commanding movements, arrested like a listening deer. Then she would go on proudly, giving the last neat touches to the dining-room tables, over which a hungry riot was immediately to sweep. A girl who had giggled in her palm

one day when the whistle blew had shrunk away, scorched by a dozen words from Reffey, and had left Mitcham's that night, with her trunk, on the up-mixed-freight.

No. 14 stopped twenty minutes at Mitcham's, and the greater part of the passengers for this reason preferred a regular supper in the hotel dining-room to the chances of the lunch-counter. It was therefore from behind this comparatively unfrequented counter that Reffey usually directed her smile of greeting at Dave. The counter was of marble, and the triangular slices of pie were on their plates, the beans waited under their covers, and the ham sandwiches reared their pile of masonry.

She had spent a nervous half-hour behind this counter one warm spring afternoon, waiting for the whistle,—she could n't, of course, ask Mattie how late the train was,—when the resounding blast always given under arrangement by Dave's engineer leaped on her ear. As the echoes began to roll back on themselves into the cañon she gave a last polishing rub to the glass bell protecting her jelly-cake, trimmed the spirit-lamp under her monster coffee-urn, and put up a hand to the bunch of green bananas over her head to stop it twirling. Then she leaned over the counter, on her elbows, between the sandwiches and the cake, to nod happily to Dave, as his train rolled up to the solitary eating-house and he followed his passengers in.

In this attitude he restrained himself with difficulty from giving her a real hug—she looked so splendidly, satisfactorily beautiful to him. As matter of fact, Reffey was unmistakably handsome in her large, arc-lamp fashion. She had uncommonly brilliant and beautiful eyes, passionate, liquid, beguiling, and shiningly resolute. Her face was not delicate, but it was strong with the same glow one saw in her eyes—a glow slightly crude, and perhaps more than slightly vicious, but richly alive. As she leaned over the counter her black, fluffy hair seemed nearer her heavy eyebrows than usual, her forehead looked lower, and her broad shoulders and abundant figure lost none of their value. She had a square, man's chin, and decided, compressed lips. She was carefully dressed, as was usual with her, in a figured cambric, without the apron worn by her dining-room girls.

She threw a smile at him, and began at the same time to attend rapidly and capably to the orders humbly suggested to her by the dozen passengers who had chosen the lunch-counter in preference to the dining-room. Dave threw a leg over the last stool in the row before the counter, and waited, with his elbows on the marble, for her to hand him the tenderloin steak and fried potatoes she was accustomed to keep for him. The steak came up through the dumb-

waiter in a moment, smoking hot, and their hands met under the plate as she set it down before him.

"What's Henry McKelway come up on the 7 for?"

"To take my train to Portoe's Junction," returned Dave, with a smile. "It's a change-off I fixed up with him. Any objection?"

She looked up from the plate and pretended to examine the idea disinterestedly.

"Just as livils," she said, as she swept a bewildering smile over her adorer, who shivered where he sat with a sensation of pure joy.

She turned from him to snatch a bottle of St. Louis lager from a shelf high above her head. Dave wanted to vault over the counter, pull it down for her, and take her about the waist in just this attitude. Instead, he watched her, as she stood on tiptoe, swing her arm up to it with the sureness and grace of all her movements, and deposit it before him, after whirling it once in the air under the counter and catching it by the neck, with a laughing glance at him. Then, without another look in his direction, she moved away to attend to other customers, only returning to ask, as he finished his steak and his lager.

"Want some pie—mince, apple, blackberry, blueberry, pumpkin, custard?" She radiated love at him through her waitress manner; and Dave, giving back her look, dreamed into forgetfulness of pie, until she called herself back with a sharp "Well?"

"Ain't you got none of my patent brand?"

"Not allowed. Bad for the complexion."

"It ain't hurt yours any as I notice."

"Just you mind your own complexion, Dave Lewis."

"I use Madame Necker's Frozen Balm night and morning. What do you want? Say, gimme some of that lemon meringue pie, now, you, and be quick about it."

She remained staring imperturbably at him through her lustrous, laughing eyes.

Dave knotted his fingers under the hand she spread out on the counter. "Come," he said worshipingly, "get a move on, will you?"

She popped her head under the counter, and drew forth the double slice of thick lemon pie that she had been keeping for him.

"There, Greedy!" she said affectionately, under her breath, as she slid it toward him over the marble with the twist she used for customers.

When the train had gone on in charge of McKelway, and Reffey had straightened up her lunch-counter, she put on a sun-hat and followed Dave along the track toward the bridge over the river. The hat was large and daintily trimmed, but it became her exceedingly, and during the first minutes of their walk she

used all the advantage it gave her over his stunned admiration.

She stepped from tie to tie with a long, free, swinging step, taking two ties at a time, while Dave contented himself with one. Mattie, watching them from the window of her telegraph-office, told herself sadly that they were a fine couple, and Reffey, glancing at Dave as they walked, said to herself that he *was* handsome. Dave was straight and well made; his face had the regular beauty, his black hair the fetching curl, his fine eyes the appealing, tender, conquering light which women love. He had, moreover, the gallant carriage of a calling in which, more than in almost any vocation of peace, except that of a sea-captain, a man gains the habit of command and of responsibility. His train was always going on or stopping at his word, in Reffey's thought of him; when he was away from her she pictured him with an authoritative hand in the air, waving his train forward or back, or, with a despotic lantern, flashing upon the engineer orders that might kill or save a hundred souls. She found no difficulty in reconciling his careful habit of dress to this conception of a heroic calling; that touched the social side of his work, which demanded that a man should n't look like a fright in taking up tickets from ladies and gentlemen. She liked his little air of correctness, the black clothes, which made him singular among men engaged in ordinary affairs and even a little singular among his fellow conductors, the heavy gold watch-chain, the accurate, flat black bow which he wore under his celluloid collar at an angle not intended to conceal the rhinestone collar-button above it; above all, she liked his crisp, jaunty, almost rakish mustache.

Reffey, who often took the airs of a good-natured czarina with him, now made him account to her for every minute that had passed since they had last met; and in return, with the charming condescension of the president's wife talking to a master mechanic, gave him the news of the road, of which she often knew more than he by reason of her favorable post of observation. Every brakeman, conductor, engineer, and fireman on the Topaz division passed her eating-house regularly, and as all trains stopped, and as the trainmen were intimately dependent on her good nature for the quality of their meals, her shrewd eye and ear had their opportunities. She made the men talk, listening, watching, and deducing pitilessly. Her judgments were harsh; she did not believe in people. It was perhaps for this reason that she believed with such abandonment in Dave, with a kind of prostration and abasement, with a total and unreckoning gift of a nature wildly proud.

To both of them the road was a world; they thought of its hundreds of miles as having a local existence, and all their speech recognized the people who officered and worked it as the population of a single community. Both knew every person employed by the railroad, his history, his present situation, and his prospects, as if he had been their fellow townsman. They did not always sleep in the same place, this town population, but they all slept sometimes in the same place, and, going or coming, they all took the same meal at the same time and place every day. The unity of the life, like the unity of a regiment's life, was its real quality; its scattered and diversified air was its superficial aspect.

She told him, now, that they were to have three new "moguls" and a couple of new "hogs" on her division, and asked him in a detached way if he was likely to be affected by the change in the boundary of the division at present ending at Maverick. Engineer Demarz had been transferred from engine 210 to 403, as one of the consequences of the change; Cockleman was running 210 now, and Vigart was firing for him. William Masten, Mark Kites, and Fred Decker were to be the "hostlers" at Maverick. The roundhouse foreman at Portoe's Junction was to be married next week. How did Dave like Hammet to get ahead of him like that? Had he met the California horse-special that went through yesterday to take the trotters on to the Eastern race-meetings? The smelter at Rexiana had shut down, and the road was n't hauling any more ore there; the coal-field at Cannel was sending through thirty cart-loads a day, though. The boys said there was to be a new time-table out in a fortnight; but she did n't believe it would affect him, anyway.

"Look out there!" shouted Dave, as she stepped out gaily on the railroad bridge. "Let me go first."

The river which ran through the cañon took its course here through a deep gorge a hundred feet below the level of the track. The bridge spanning it was of wood, and a single plank was laid loosely over the ties, between the rails, for the use of track-walkers. The crossing of the bridge by this plank was a dizzying business, requiring experience and a cool head. Refsey, who had been brought up in a prairie country, had never seen such a bridge until two months before, and she had been accustomed to let Dave go ahead and to give her a guiding or supporting hand where she needed it. But she was in a mood to-day to make him wince under her power, and perversely, at the same time, in a mood of humbleness and frankness which made her wish to show herself to him as she really was.

"Pooh!" she cried, looking back at him

over her shoulder, as she balanced on the plank above the gorge, in a way that turned Dave pale. "Think because you run trains over this bridge you've got to run me over too? I'm the conductor of this train."

She moved out a dozen steps further, taking care how she put down her foot, as indeed she must, but giving an effect of recklessness to her motions that made Dave sick with fear. He started to follow her out upon the plank, but she screamed peremptorily:

"Stay where you are till I say you may come. Don't you move, Dave Lewis!"

"You're mad, Refsey! You're mad! Wait till I can get to you." He made another movement to set forth toward her, but she shouted:

"If you take another step before I tell you, I'll go out on the ties."

She made as if to suit the action to the word, and Dave's tongue hung limp in his mouth as he managed to cry back hoarsely, "All right; I won't."

He stood regarding her slow, balancing motions with horror. He had advanced some paces on the plank himself, and when he let his eyes drop he saw the river gleaming between the ties, a hundred feet beneath. Out there, under the spot where Refsey stood, the stream tossed and whitened over a scattered mass of rocks. She was not looking down; her head was up, her arms out, her eyes straight before her, and she was feeling for the plank with her feet. His heart melted in his breast as he gazed after her.

Suddenly he saw her stoop as she passed the water-barrel placed on wooden bridges as a precaution against fire. She crept out upon the platform on which the barrel stood, and, gathering her skirts under her, sat down at the edge of it, dangling her feet above the river. Then she looked around at him calmly, and called out:

"You can come now."

Dave drew a long breath, and ran out toward her on the plank. Long use had made thefeat easy to him, and he was quickly at her side.

"Well, I'll be——!" he said, standing above her.

She looked about at him with a challenging smile.

"Don't be. It's more fun out here."

"You're a wicked girl."

"Yes; I know that," she answered, contemplating the toe of her boot, as she swung it out over the abyss. "Did I worry you?" she asked.

"You killed me. I would n't go through what you just made me go through, again, for a thousand dollars."

"Well, I won't charge you that. Won't you be seated?"

She mimicked the parlor manner in a nim-

ini-pimini voice, and drew in her skirts to give him room on the platform. He sank down beside her, and seized her hand fast in his.

"Promise never to do it again," he demanded huskily in her ear.

She gave a little squeal of pain.

"Le' go my hand!"

"Promise."

She looked into his eyes. "All right, Dave; I promise."

"And you'll never do it again?"

"Never. Not the same thing. I'm tired of that."

He gave her a look of deep reproach, before which she lowered her eyes.

"O Dave," she murmured, as she cuddled her head on his breast, "I am wicked! You don't figure enough on that. It was partly to show you how wicked I am that I did it."

The need for a faith on his part answering to her utter faith in him caused her, at times, to test his belief in her wilfully. She had told him scores of things about herself, in the fear that he would find them out and cease to believe in her; she was accustomed to heap up the tale of her proud, passionate, selfish, jealous nature, in the nervous longing to make sure of his love once for all by exhausting in advance the possibilities of accusation.

They sat silent for a moment after this, while Dave took her to him, and they kissed in a long, reconciling embrace.

"You don't know me, Dave Lewis," she said, "and I don't suppose you ever will till I make you hate me by doing something that'll hurt you so bad that you'll never have anything more to do with me. It'll be something I can't help doing; and I'll love you all the same,—oh, yes, I'll love you fast enough,—but I'll have to do it. And then I'll spend the rest of my life wishing I had n't. I've got a regular black heart, Dave, that's what I have; and the sooner you know it the better."

Dave laughed easily. "I always take mine black," he said.

She patted his hand as she looked up at him. "Well, I only hope you always will."

"I know what you're thinking of," he said.

She enveloped him in the sultry atmosphere of one of her rich glances. "I'll bet you don't," she answered, with her head up.

"You're thinking of Mattie; you're thinking we did n't do right by her. I often think that myself."

"Do you, Dave Lewis! That little, meek, chalk-faced hussy! Well, then, I don't. Do you hear that? I don't. I hate her, I do. Understand? I hate her. I'd like to take a dozen men from her, one after the other, and toss her their old hats for keepsakes. I'd like to have her out here where we're sitting—that's all."

"Great Scott, Reffey! You ought to want to be good to her. We've done her harm enough. Anyway, I have. If I knew a thing to do for her that would n't hurt her worse 'n leaving her alone, I'd do it *too* quick."

"Look here, Dave Lewis, if you want to go back to her, you've got an easy chance. Just take that plank and march back to the hotel. You'll find her in the telegraph-office, and glad to see you, I should n't wonder."

"I ain't hankering to go back to her," he said sulkily.

"Well, then!" ejaculated Reffey, decisively.

"You don't expect a man to play a trick like that on a woman, and *like* it, I hope."

"Don't I, though? Depends a little on who he plays it on, and who he does it for, I should say. If it were some girls I know and some men, I should think they'd just go wallowing around in it. I only wish it had been my chance to give her the mitten. I'd have worked some prickles into it."

"What a girl you are!" exclaimed Dave. He said it admiringly, though he had intended to say it upbraidingly.

"Well, I told you I was n't good. I ain't. I better tell you the kind of girl I am, I guess. You know I come from Topeka, but you don't know how I come to be there, nor what it was that drove me into the business. I ain't an eating-house manager by profession. My father—my own father—kept a store in Kansas City.

He used to speculate in land. We was rich once, like other people. But the bottom dropped out of land in Kansas City, my father died, and my mother married again. My new father lived at Wichita. He had more education than my own father, but less brains. First we did n't like each other, and then we hated each other like mad; but I used to work for him like as if I'd loved him. I got up every morning at four o'clock to get his breakfast and send him off to his machine-shop (mother was n't much good those days), and he was always rowing me about my cooking. The cooking was all right, if I do say it. That was n't the trouble. He's one of these kind of men that'd find fault with the Garden of Eden if the sun was under a cloud, and the next day'd be praising Sunday-school picnic lemonade. You could n't please him. Well, one morning I was frying some bacon for him in the kitchen, because he'd said the day before that if there was one thing he did like it was bacon, and I never give it to him. He came out into the kitchen, where I was heating myself up over the stove for him, and first he did n't like bacon, never eat it, and never would eat it; and then he began to criticize around about the way I was frying it. That got my blood up, but I did n't say nothing. Then he went sniffing at it, and

bending over to look at it close, and telling me to turn it this way and that, and showing me how he wanted it cooked, till I was ready to fly out of my skin. And I *told* him. Says I, 'Look here, you *know* I've got a notorious temper. I ain't got no control of myself if you rouse me. Just take warning now, Jim Phelan, (that's what I always called him), or it'll be the worse for you.'

"He just smiled at me, and went on, and then I up with the whole boiling skillet of fat and grease and let him have it. It took him full in the face, and he dropped into a chair as if he'd been shot, howling with the pain like a wild animal, and I just looked at him and asked him, 'Well, how do you like it?' I did n't have no more bacon to cook, and I could give my entire attention to him. He shrieked for a doctor (mother was n't to home that day), and I smiled at him. Then he knelt down on the kitchen floor, with that grease dripping all down his face and out of his beard (you don't know how funny he looked), and regularly prayed me to do something for him. But I told him I was n't running for doctors so much this week as I was last, and it did me good all through. Well, then I ran away, of course, and went to Topeka, and got a place as dining-room girl. After six months or so they found I could run girls, and they made me head waitress. You just see what I am, Dave. I ain't good. I love my friends and hate my enemies; and when it comes into my head to do a thing I do it, and if I'm mad I'll do anything. Sometimes I don't think a girl like me is going to bring you happiness, Dave. But then I remember how I love you, and after that I think of some one else having you, and—' She bit her white little teeth together. "Well, about that time I'm willing to make you miserable."

Dave refused the prospect of wretchedness she offered him, of course, and denied her capacity to furnish it. He said she was his life, his happiness, and his only hope; and said it, as they sat on their dizzy perch, with a thousand circumstances of endearment. The narrow mountain torrent chafed against its walls down there at the bottom of the gorge, further beneath them than Reffey really liked to make sure of with her eyes. It tormented itself upon the rocks with moans and every cries; it split and bubbled in showers of spray; and raced on to a crashing death over the fall in sight from the bridge. The crags rose on each side of their resting-place into pinnacles that hid the sun and made an early twilight in the cañon.

II.

MEANWHILE Mattie sat in her little telegraph- and ticket-office, "visiting" with Kate

Farley, the operator at Red Rock, the station at the other end of the cañon. They held conversations like this over the wire daily, during slack hours after the day's markets had been sent through, and when the line was not much in use for commercial work. Their acquaintance had begun with an inquiry from Kate about the geraniums in Mattie's window. She telegraphed her that her "steady," Milton Drew (who had just been promoted from his position as fireman of 192 to that of engineer of 308), had noticed them blooming in her window on his journeys back and forth, and had twitted her on the poor show hers made beside those in the office at Mitcham's. Kate wanted to know how Mattie made hers grow, and Mattie, who was the most good-natured person possible, had told her. They knew all about each other's affairs now, and were bosom friends, though they had never met.

They even described their offices to each other: and Kate knew that Mattie had her walls papered with cuttings from copies of "The Illustrated London News," left by one of the English visitors to the hotel (Kate's walls were covered with fashion-plates); that there was a rag carpet on the floor, a "busy bee" clock on the shelf, a bearskin under Mattie's feet, and by her side a window-box covered with a piece from one of her mother's trousseau dresses. She also knew that her chief possession was a dog, an Irish setter, which she kept constantly by her. Kate pictured the little room as the neat, quiet, domestic spot it was; and rightly imagined it as like Mattie.

It was to Kate, as her nearest friend, that Mattie had first told the news of her engagement to Dave; and Kate had telegraphed back a hug, and a rattle of applause not in the Morse alphabet. Then she had fired questions at Mattie, who had ticked back her answers with shy jerkiness. She told her friend that Dave was the best and dearest fellow in the world, and Kate had shown her teeth from Red Rock, and laughed back that she supposed as much. Kate made Mattie give her daily news of the progress of the affair after this; it superseded their geraniums as a theme of conversation, and Mattie bore Kate's electrical digs and gibes without attempting retaliation in kind. Kate was n't at all shy about Milt, which made all the difference; and indeed Mattie liked the subject of Dave too well to grudge the expense of teasing for the right to talk him over. They talked almost as much of clothes as of Dave, for Mattie was doing in the office her own sewing for the wedding, and she could ask Kate's advice at the end of any seam by reaching out her hand. When the trains came in she put her telltale needlework carefully away, wrapped (with her dreams) in the fair linen cloth she

kept for the purpose, stood up in her little box, raised the rolling front of her ticket-rack, slid up the window separating her from the prose of the outer world, and was a woman of affairs again.

She stamped tickets with a business-like bang of her little fist, and rattled off train-messages, and received orders and reports, as if nothing of the Dave kind or of the love kind existed on the planet. When the train was Dave's, and he leaned over her counter to sign his name in the train-book, a perception of facts of this order certainly got into her eyes; but this was all she allowed herself in business hours. On Dave's day off, when he came over from Portoe's Junction, he loafed about her office, watching her movements affectionately while she attended to her duties, and made plans with her, when she was not busy, for the time after their marriage. When No. 3 had passed (Dave's train every other day), Mattie's time became her own, and it was their custom to take long evening walks in the cañon or among the hills. On the nights when their walks led them into the black and awful beauty of the cañon, Mattie liked Dave to pilot her over the bridge, though her mountain-bred step was surer than his railway-man's nimbleness. The moon, rising late for wayfarers in depths a thousand feet below the world that saw its first beams, would often discover a pair of lovers, far down in that rocky dimness, whispering to each other. These were sweet evenings to Mattie, and, until Reffey came, they were not less dear to Dave.

When he threw her over she seemed at first like one mortally stricken. Afterward she roused herself and went on, in order rightly to hate Reffey. It was the woman who had taken him from her whom she blamed, of course; Dave could never have turned false if she had left him his senses. She had bewitched him, and the fault was no more his than if a serpent had fixed a fatal eye on him. The deep forces of a still, temperate nature were alive in Mattie now; she had not the habit of valuing herself, nor of regarding herself as entitled to things, and she had almost no aggression, but Reffey had roused a tiger in her. She daily found new ways of hating her and new reasons for hating her. Reffey's assured and familiar air with Dave, as if it were to her that he had been long engaged, the easy impudence with which she had accomplished her theft, even the perception that Reffey would have borne the hurt much better if it had fallen to her lot, sharpened her rancor. She fancied, with gnashing teeth, how cleverly Reffey would have made a triumph of being jilted, so that every one would think it precisely what she had all along been desiring; she saw Reffey showing herself

gaily the next day at an engineers' ball or at a firemen's excursion with a defying face and a rollicking smile for the boys; and Mattie loathed herself for not being strong enough for this, though she had no heart to answer back, so far as Dave was concerned, nor any real wish to shine with this impossible address. Toward Dave no pride, nor savageness of stolidity, nor mere concealment, nor any other maidenly defense, came to her aid; the wound he had dealt remained open and palpable to him. If he looked her way he could not fail to see his work, and perhaps this touched him more than any hardness could have done.

She suffered to herself; her mother was long dead, Mitcham's was her only home, and, unless she excepted Kate, she had no friends. The difficulty of telling Kate was finally the cruellest measure of his cruelty; for a week she continued to answer questions about her dresses, and even about him, with a breaking heart. She simply had not the courage to tell her; and when she brought herself to it at last, Kate wired back furiously that she was n't "sending" decently; how did she expect her to "take" from such work, especially when what she seemed to be trying to tell her was so interesting? Then certain male operators on the line who made daily bets with one another on the "game," and who wanted to talk over the drubbing Chicago had given New York (they had not let them get a run), cut in to ask if those girls were going to gabble *all* day; and Mattie gave it up.

Mattie watched Dave hanging on Reffey's words as he had been used to hang on hers, gazing into her eyes with the fond smile that had once belonged to her alone, using the thousand little tricks of affection that had once seemed invented for her (poor fool!) and consecrated to her; and she saw Reffey bloom under these stolen blessings. It was hard to see them together, but much harder when she did not see them, and her fancy was left to gnaw bitterly upon itself. Their walks in the cañon or among the hills brought tortures with them that seemed, each time, to leave a permanent mark on her spirit. To-day, from her window, she had watched them leave the hotel arm in arm, then separate, and step from tie to tie, disappearing in the direction of the bridge. She knew from the wires that a "special" was on its way over the range, bearing certain Eastern railway officials in their private car; and she knew that Dave and Reffey did not know it, and supposed the last train to have passed until the hour when the evening express was due. She followed them with gleaming eyes; it was n't her business to tell them. Dave was able to look after his new lady-love for himself, she supposed. They might meet the train in a part of

the cañon where there was room, like as not; and if it came around a curve before they knew, or caught them on the bridge, they'd enjoy dying in each other's arms. It was n't her lookout. They did n't ask advice from her about their walks; they had n't invited her to follow them.

"Three's a crowd!" whispered Mattie to herself, pressing her face against the pane.

She would be a murderer. What? Sitting in her office, looking out of the window? That was a good joke.

But she would.

"Who's doing anything?" muttered Mattie to the window.

Kissing and spooning, they were having a good time in there, between the cañon walls. Better not interrupt them.

The thought of Dave came over her smotheringly; she gasped. It was not her Dave, nor Reffey's Dave — merely Dave. She loved him. She could not let him die like that. She threw a shawl over her head, and laid a hand on the knob of the office door. Then she stopped. Could she save them for each other? Could she bear to see them happy later, and know it to be through her? If they died together — they would n't; it was crazy to think that a railroad-man and a clever fellow like Dave would n't have more hustle about him than that; but if they did, it blotted out her trouble, it stopped the pain in her breast. She need n't turn the knob. Her hold relaxed. The grim thought that followed made her tighten it again; she turned the knob, and went out and down the track. What had come to her was that Dave would *not* be happy with Reffey, — no, never in this world, — and that if she wanted her revenge on both of them, she would save them to marry each other. When she came to the bridge and saw them seated there in the affectionate attitude already described, she halted, and had almost turned back; but her thought came to her again, and she called out sullenly from the edge of the gorge:

"Better come off there!"

They looked up at the sound, and together saw the little figure on the bank of the river — a small, pale face framed in a tightly drawn shawl, which fell down the straight lines of an almost tiny form. Her dog was standing by her side.

They recognized her together, and Reffey gave a shrill laugh. Dave laid a hand on her arm for silence.

"What's the matter?" he called back to Mattie.

"Special!"

"The devil! Get up, Reffey!"

"Don't I look like it?"

"You look like a madwoman. Do you want to be killed out here?"

Reffey made her rosy mouth into a pout. "I don't want to be saved — not by her," she said, swinging her legs.

"Good heavens! What *do* you want?"

"This suits me pretty well," she said, glancing up at him with a tantalizing smile.

"Come! no fooling. There's a train coming, I tell you."

"Well, get out of the way of it, then."

"Do you suppose I'm going without you?" No answer.

"Look here, Reffey Deacon, get up off there and come along with me, or I'll carry you."

"I would n't do that," she responded quietly.

"Why not?" asked Dave, stupefied.

"I'll jump."

Dave uttered a raging oath, and looked about him helplessly.

"Well, say what you *do* want me to do, then, and say it quick."

"Get out of the way of the train, I tell you, if it's coming. Go over to your friend there. I'll take care of myself."

"You'll be killed."

Reffey pushed out her lower lip quickly, and dropped her eyes.

Dave laid a hand on her shoulder; she looked around at him.

"If I go, will you save yourself?"

"That's just what I'll do," she said, pursing her lips and nodding her head. "I don't have to ask Mattie Baker to do it for me." And, after a pause, "Nor you either, Dave Lewis, when she sets you on."

"Well, I'll be —!" began her lover.

She turned and nodded to him. "Good-by!"

"Oh, good-by!" shouted Dave, turning on his heel and going swiftly toward Mattie.

At the same moment Reffey got deliberately upon her feet, slipped out to the central plank, holding on by the barrel, and, turning her back upon him and upon Mattie, began a progress to the other bank best described as a saunter.

In building the bridge and making the curve in the track, on the bank opposite that on which Mattie stood, a deep hollow had been excavated in the face of the rock. Reffey had noted it from her seat above the river. She stepped off the bridge and tucked herself into it as the special roared by her, darted out upon the bridge, and swept by Dave and Mattie, on the other side. The wind it made caught her dress as she crouched back in her shelter, and blew it tight about her. She held her big hat on with one hand, and looked across the chasm to see the negro porter waving a greeting to her from the rear platform of the last car, and to catch sight of Dave standing on the oppo-

site bank talking earnestly to Mattie, who was turning away.

He was thanking her with embarrassment, or trying to say how they could never thank her enough. If Reffey could have heard him including her in the obligation, she would not have remained under the shadow of the rock until they parted.

Mattie was saying, with lowered eyes, "I guess you don't want to be very thankful to me, Mr. Lewis, and I guess I don't want to have you."

"Of course. You hate me. *I* know that. It's only natural."

Mattie shook her head, and rubbed the gravel backward and forward with her foot. "No, Mr. Lewis; I don't hate you."

"Well, then, it's because you're too good. I've given you cause enough, heaven knows. Mattie, I've been wanting this long time to tell you—only, somehow, I never got the chance—that I don't think any more of myself than you do; not a bit. I had to; I was n't responsible. I can say that; and it's the best *I can* say. But it don't excuse me any."

"There ain't any need for excuses as I know of," responded Mattie, with dignity.

"Well, then, there ought to be. If a woman had treated me the way I've treated you, I would n't think *excuses* was in it—much! You're a first-class, nickel-plated angel, Mattie; that's what you are!"

Mattie shut one lip upon the other. "I guess I rather get what praise I *do* get somewhere else, Mr. Lewis," she said quietly.

"All right. But I'll never get over what I done to you, Mattie. I want you should know that—never! If it's any comfort, you can know that what I did ain't always such a comfort as it might be."

Mattie looked up, with a spark in her eye. "You mean—*her?*"

"Well, I was thinking how it hurt me all the time to remember about you."

"You need n't," interposed Mattie, for very shame, though the pretense of a hardihood in which she knew he could n't believe (how could he, when he knew her, when he had made her tell him a thousand times how she loved him?) did not give her the smallest pleasure.

"But perhaps it ain't so far from true of the other, either," Dave pursued thoughtfully. He had not even heard her protest.

Mattie drew her shawl together as if to leave him. She looked into his eyes a moment.

"You ain't going to be happy, Dave."

"You mean I ought n't to be after what I've done?"

"I mean you ain't going to be," repeated Mattie, doggedly; and with this she turned and left him.

Next morning she received, through the usual channel, a communication from Kate, and when Reffey knocked at the window of her ticket-office, in the course of the morning, Mattie raised it and met her with a new look in her eyes.

"The less we have to say to each other the better," Reffey began from outside, as soon as the window was raised; "but I just came to say you need n't do that again. *I'd* rather stay and take my chances with the cow-catcher twenty times over."

Mattie surveyed her for a moment, and they exchanged glances of cold repugnance.

"I ain't very likely to," said Mattie at last, measuring Reffey scornfully.

The manager of the eating-house was looking offensively well—tall, commanding, buxom, rich-colored, satisfied, prosperous. Mattie looked out at her from the other side of the window, conscious of her own pinched face, haggard with weeping and with wakeful nights, and a burning throb of jealousy went through her. All that fairness, and health, and well-being seemed stolen from her, too, as her lover had been stolen. A frenzy of loathing seized her, and the news that had saddened her half an hour before rejoiced her now with the hope of bruising that haughty happiness with it.

"Well, see you don't, that's all," rejoined Reffey. "I can get along, I guess, without being beholden to *you* for my life, and so can Dave. Oh, I know what you did it for."

"I did n't do it for you."

"You did n't get the chance. *I* was ready for you."

"Nor for him, either," continued Mattie, without raising her voice.

"What then, please?" demanded Reffey, briskly.

"I did n't want either of you to get killed," pursued Mattie, steadily. "I wanted you to live."

"Did you!"

"To marry each other," Mattie went on quietly. "You're going to marry a thief; did you know that?"

Reffey blew an amused, derisive sound between her lips, glancing carelessly down at Mattie from her superior height.

"Yes; you're going to marry a thief. Heaven won't let such things be as you've done and nothing to pay. Be sure of that, Rebecca Deacon. You've swindled me out of Dave, but you can't swindle the powers above. Your house is being built with stolen money."

Reffey's face went quickly to a ghastly pallor. "Who says it? Who dares?"

"I do. Do you want any one worse to know it than me? I guess I enjoy it as much as most

any one would. You did n't rob me of such a prize, *after all*, did you, Miss Deacon?"

Reffey's face grew whiter, and then an unwholesome dusky blue. Rage choked her. She thrust her arms quickly through the ticket-window, seized Mattie by her narrow little shoulders, and shook her viciously.

"Aw, you ——" she stammered, breathless with passion. "You ——" But she could not piece another word to it.

Mattie wriggled out of her strong grasp, and retreated against the corrugated black-walnut roller of her ticket-rack.

"That 's all right," she said, gasping, but still quietly; "but he 's knocking down fares every day, all the same, and you 'll live in a house that 's built with them."

Reffey leaned through the window with blazing eyes, and hurled these words at her:

"Don't think it! Hear? *Don't—you—think—it!* You 're a liar, Mattie Baker; but if you were n't, and lived in hopes of *that* sweet sight to comfort your sore eyes, you 'd be the most almighty left little girl between here and Salt Lake. *I'm* on in this scene. See! I 'm right here, and that ain't my sort. Cast off!" she ended between her teeth, in an indescribable fury of scorn and malice. Then she went.

III.

SIX weeks later Reffey and Dave were married. She had not questioned him; not only because she would n't do Mattie so much honor, but because she did n't believe it, and if she did, Dave was too clever to be found out, so that it would n't be true, anyway. As to whether Dave was actually a thief or not she cared practically nothing; and besides, what he was doing, *if* he was doing it, which he was n't, was not thieving. It was — well, it was "knocking down," which was nothing out of the way unless discovered. *Then* it was stealing fast enough; but she did n't take herself for fool enough to be in love with a man who would do such a thing, *and* be found out. Hardly.

They were married in the dining-room at Mitcham's by a clergyman whom Dave dead-headed over from Portoe's Junction. All the dining-room girls were there, and the new eating-house manager, who had been transferred from Maverick to take Reffey's place; so were all the men on Dave's division who could get off. Reffey looked as beautiful and sumptuous and perfect in her bridal dress as Dave could have wished or fancied, and he quieted about the accusing pang of memory, as he looked about him and saw that Mattie was n't there, with his deep satisfaction in the situation as it stood. He beamed on all his friends, in fact, as became a bridegroom, and no one who looked at his

cheerful face could have supposed that a corner of his breast was given over to a heavy and dispiriting remorse. Mattie's words mixed themselves hideously with the words of the marriage service. "You ain't going to be happy, Dave," the clergyman seemed to be saying. Dave was uncertain in the responses.

The "collation" which Reffey had prepared with her own hands kept them, with other festival matters, until No. 3 stood at their door, like a bridal chariot, waiting to speed them over to Maverick. They had the compartment in the Pullman to themselves, of course; and it was one of the brakemen who got on the roof, while the crowd was shouting farewells on the eating-house platform, and shied rice at them through the ventilator.

They were not going to take a wedding journey, unless the trip over the range to Maverick could count for that. Dave could n't well get off for a long enough time to make it worth while.

Jake Riker, the station hackman whom Dave had been accustomed to employ for his hasty conferences with his builder, was waiting for them on the platform at Maverick by Dave's orders. The newly made husband gave the order to drive to the house he had prepared for Reffey with a nervous twitch in his voice; he was taking his wife home,—the word sent a pleasant tingle through him,—but would she like what he had done for her? He knew by this time Reffey's capacity for not liking things. Suppose she should n't like this? Suppose it should all prove useless, the affectionate planning, the solicitous overseeing, the choosing and buying, and thought and work? As they were whirled along toward the house, and Reffey's hand lay moist in his, hours stolen from sleep to get half a day at Maverick for a talk with his builder, and weary days at Denver with furniture-men and carpet-dealers and paper-hangers, and the prospect of a disappointment for Reffey at the end of it all, disheartened him. If she would only like it, how little he should grudge his pains. The notion of "surprising" her with it all, which had possessed so rich an interest for him, now seemed silly. It was only by reminding himself that, in any event, she could n't have left her work at Mitcham's long enough to advise at Maverick or Denver that he got up the cheerfulness to leap from the carriage when they drew up before the house, to throw open the front door for her, and then, as she came up the walk to him, to lift her over the threshold with a bouncing swing, and to welcome her, within, gaily.

She gave him his kiss when the hack had driven away, the door was shut behind them, and they stood in their little parlor, alone with

each other. It was a fierce, devouring kiss, claiming him and making him hers, and hers only, for all and forever. She clutched him to her tight, possessing him with a savage tenderness; she put back his head to gaze into his eyes; her own swam in a soft languor. Then she rumped his hair over his forehead, making inarticulate murmurs of love; she kissed him again once, twice, and then very many times.

"O darling, darling, dear darling, I love you!" she whispered. "Did you know that? I love you."

Dave caught her to him rapturously, and then held her away and let his eyes feed long on her brilliant, ardent beauty. The adoring face, in which she let him read for the first time all her love, was dizzying, blinding. He snatched his gaze from it.

"You have n't looked at the room yet," he said.

"Have n't I?" she returned dreamily, cradling herself in his arms.

"No."

"Well?" cooed she, contentedly.

"Oh, well, there's plenty of time."

"Lots. Only think, we're going to live here."

"Yes; together."

"Together!" she murmured.

A long pause fell.

"Well, I suppose I may as well," she said at last, with a deep sigh.

"What?"

"See what you've been doing for me, you old goose." She gave his cheek a playful cuff, and turned to survey the room, taking off her bonnet, as she did so, and laying it on the sofa. Dave watched her in pain and doubt.

"O Dave!" she exclaimed.

"Yes. What?" he rejoined anxiously.

"You dear! You Jim Dandy! You out-and-outer!"

He laughed in uneasy relief. "I did as well as I knew how, without you."

She heaved a deep breath. "W-e-l-l!" she said, spreading the monosyllable out to the thinness of ecstasy, "it's my size!"

Dave trembled with happiness, and he let her kiss him in stupid unresponse.

She darted away from him to the couch she saw over his shoulder.

"So you went and got the white and gold and thin legs after all?"

"Yes."

She stamped her foot on the red Persian rug, letting her shoe sink confirmatorily into its thick pile. "And this?" Dave nodded. She gave a little shiver of luxury as she cast an inclusive glance round the room, and said, "If you ask me, Dave Lewis, I believe you've bought all the things you told me you could n't afford."

Dave laughed. "Should n't wonder."

"Well, you're a beaut' from Lovelvile, David, and I don't care who knows it."

"Better see the rest of the house before you make too sure. Come on up-stairs."

He lighted the huge parlor lamp, with its duplex burner and immense red shade, and she followed him. There were plenty of smaller lamps in the house, but he had a fancy that some of the things he had bought would look best through red, and, at all events, he wanted to show her the lamp at once. It had an immediate success with her; she praised it all the way up-stairs, where, however, further examples of her husband's lavishness and taste won away her applause. She went about hanging on his arm and patting it softly, with whispers of delight and gurgles of gratitude and pleasure, as he held the lamp aloft in his other hand, flashing it into rooms which they presently visited, illuminating corners and closets, and turning it on objects which he had bought expressly in the hope that she would like them. She always liked them, she liked everything, and Dave, his fears put to shame, was ready to break his red shade in embracing her.

Returned to the ground floor, he ushered her into the dining-room, which she greeted with a shout of approval.

She tossed her chin teasingly at him. "Laid yourself out on that buffet, did n't you?" It was a monstrous black-walnut structure, over which thick varnished bunches of machine carving were plastered; the top was of an ugly red marble; the woodwork terminated above the mirror in a point, on which a seedy angel pirouetted.

Dave grunted serenely. He had got beyond the articulate expressions of gratification. Reffey went up to the imposing piece of furniture and drew her hand reverently over the marble. After a moment she stooped to look at herself in the mirror, smoothing her hair.

"Well, I've served things from buffets like that," she exclaimed, "and I've worked for people that owned them; but I never thought to have one for my very own."

She opened the doors below the marble, and peered in at the shelves; she espied the silver and dragged it out and sprawled it on the table, rummaging it over lovingly. "Roll plate!" she said under her breath, "twelve table, two dozen tea, and—yes, a dozen dessert. Oh, I've always wanted dessert!" She sprang on him, and gave him such a hug as he would never have dared to picture in his reveries.

"Well," she said meditatively, as she pushed him off to regard him properly, "you have done it!"

"I don't know as I've spared money," said Dave, modestly.

She looked fondly at him. "You've spent it through a hose, David. Come into the kitchen."

The kitchen also seemed good to her, better, if possible, than the things that had gone before. It appealed to her on the professional side; she saw opportunities in the shining rows of fresh tins, the blue enameled ware, the pots and pans. She turned them over skilfully, and sounded them with her knuckles, and lifted a lid from the cooking-stove, and sniffed at the sink. Then she took his arm and drew him into the parlor, and made him sit in the wicker chair before the fire, where he had always planted her in fancy, and, for herself, dropped on the floor, and leaned an arm on his knee, while she looked up at him in a rapture of content.

The fire of piñon logs blazing in the grate cast a ruddy glow upon her face, out of which the sinister lines seemed for the moment purified. She took a newspaper from the table, in idleness, and glanced up and down its columns with the indulgent glance women give newspapers. It was a copy of the *Maverick Sentinel*.

"Have you subscribed, Dave?"

"Yes; I thought it'd make us feel sort of homelike to find a paper in the house, as if we'd always lived here."

"You sweetums! You've thought of everything. I wonder if every girl is so lucky." She mused a moment, as her eyes returned to the paper. "They've got a railroad column, have n't they?" she commented, pointing to a series of items headed "Track and Round-House Cinders," and surmounted by a cut of a locomotive.

"Yes; that's the advantage of living at the end of the division. We'll get all the news."

"That's the kind," said Reffee, approvingly. "Why, here's your name!" She started up. "But *Dave*—!"

"Well? They got a grind on me about the ceremony? Preacher, county clerk, and furnished house for two? I supposed as much."

Something in her averted face startled him. "Why, what's the matter, Reffee?" He forced her to turn toward him, and she faced him with a gaze of reproach and bitterness that searched his soul. He snatched up the paper and read for himself:

Dave Lewis, the popular conductor of Nos. 3 and 14, has got the grand bounce from headquarters, we understand. Moving cause, the good old custom of "knocking down." As he has just led to the altar Miss Reffee Deacon of Mitcham's, well and favorably known as the manager of the railroad eating-house at that place, the g. b. comes at a bad time for the happy pair. O *Dave!*

He looked up and encountered Reffee's hard eye still fixed on him.

"Don't look that way, Reffee. What's the dif.? They all do it."

"I know that," answered she, hoarsely; "but the rest don't get found out!"

He turned from her accusing and scornful gaze. "I suppose you're afraid I can't get another situation. You need n't be. I've got a place offered me on another road; I've had it this long time. I'll take that."

"Oh, I ain't worrying about you none. Don't you fret. Where's my bonnet?" She turned and found it on the sofa, where she had left it, and clapped it on her head, adjusting it with a vigorous movement, and jamming in the long pins in her haste as she could.

"Where are you going?"

"Out of this house."

"Don't be a fool!"

"Well, I'm going to try hard not to be, Dave Lewis." She gave him a quick look. "You coming?"

"Did n't know as I was invited," he responded, with a ghastly effort at gaiety.

"Well, you are. 'T ain't *you* I'm running away from."

He dropped the paper, and stared at her.

"What then?"

"This house."

"What!"

"That's what I said," returned Reffee, coldly, drawing her wrap over her shoulders.

"Why?"

She shut her lips. "Mattie Baker."

"See here, Reffee Lewis, are you a rip-roaring maniac, or a sensible woman and my wife?"

Reffee came and stood before him, with blazing eyes.

"Do you think I could live an hour in a house that Mattie Baker could say was built with knock-downs?"

The ferocious pride and malignity of her tone beat him down. He could not lay his tongue to a word.

"How do I know?" he said at last, sulkily.

"Well, then, put on your hat."

"Now look here—" he began with renewed anger, as he found himself.

"Don't I tell you I can hear her saying it? I ain't responsible for myself just about now, I give you notice, Dave Lewis. Come on!"

He restrained an inclination to clasp his hands about her fair throat and draw them tighter till she begged for mercy.

"What kind of woman are you, anyway?" he cried in rage as she gathered the strings within her cloak and caught them about her waist, where she tied them with a vicious jerk.

"The kind that don't take a man from another woman and then give her the chance to

say she's better off without him than I am with him. The kind that don't give any living mortal a whip over her. The kind that 'ud kill herself with a smile before she give it to Mattie Baker. The sort that hates, if you want to know."

She was drawing on her gloves rapidly. Dave regarded her in helpless admiration and fascination as she gave vent to this astounding outburst. She was the only one off her piece of goods!

"I know that, Reffey; I know it," he said soothingly. "But you ain't going to leave our house on our wedding night — the house I've built and furnished for you, the house I've worked so to please you with. You don't know what it's cost me — the work and the money! Our house, Reffey! Ours, however it come! Ours! That sounds pretty good to me; I don't know how it does to you."

He stooped over her shoulder and tried to kiss her, but she pushed him off.

"Ours! Not much it ain't! A house that any one can point at and nudge the person with him, and smile, and say, 'Pretty tidy house that. Know how it was built, I suppose?' A house that Mattie Baker'll know that's happening to every day! Ours! It's hers, I tell you — hers! I don't belong to her to pity, though — not yet! Come along if you're coming!"

She strode from the room, and Dave could only follow her. She waited at the gate while he locked the door; then they walked together in silence toward the railroad from which they had come an hour before. A full moon shone down on them out of the fathomless, steely blue of these altitudes, blanching the snowy hills behind them to the whiteness of light. It was midnight, and the radiance fell upon a silent town, expressing its raw, hap-hazard outlines with a bareness and cruelty beyond the cruelty of daylight. The moonshine turned molten on the tin roofs, which grew upon the eye in the similitude of floating vessels of silver. The stillness was broken suddenly by a crash of brass instruments, which cleared itself in a moment into the strains of "He's gone and he's married Yum-Yum"; the sound came from the outskirts of the town. Dave guessed that "The Independent Maverick Brass Band — Sons of Veterans" was on its way to serenade them at the house they had just quitted.

Reffey was pushing hurriedly on with a long, nervous stride; her face was absorbed and white; she had not heard the band. He was about to call her attention to it, when she turned suddenly upon him.

"Lemme have your key. I've forgotten something."

Her voice was harder than before; but deep down in it he thought he detected a sob. Perhaps she was relenting.

"Lemme take it," she repeated nervously. He handed it to her. "Wait here," she said, and went quickly back to the house.

She put the key into the door, and pushed into the parlor. The fire was still burning brightly in the grate. With the tongs she snatched it out upon the floor — one log and then another, until they lay scattered flaming on the Persian rug. The pile was thick; the rug did not catch instantly. She went to the window, tore down the lace curtains hanging there, and fed them to the flame. Seeing the "Sentinel" still lying on the table, she added it. Then the pile leaped up.

At the door she paused for a last look at the dear room — fresh, lovely, habitable a moment before, now melting into flames before her eyes. She made an instinctive motion forward as if to stop it, then checked herself proudly, and, without another look behind her, locked the door, and walked back to rejoin Dave.

She gave him the key. "Better go to the hotel, had n't we?"

He looked at her curiously. "Yes; I suppose so."

They went on in silence. As they reached the railroad platform, where the hotel stood, Dave looked up, perceiving the light in the sky that was not the light of the moon. He wheeled about and gazed behind him.

"Good God, Reffey! What's that?" He clutched her arm.

"The house."

"What? How do you know? Who — who did it?" the poor fellow stammered.

"I did," she answered coldly.

He turned a pale, staring, sick face upon her.

"You!"

"Hm, hum!" nodded Reffey, comfortably.

A cold feeling tightened about his heart. The vision of a long life with the woman beside him seemed to stretch away and away into a hopeless blackness.

He gazed at the mounting flame that was swallowing up his work, his love, his happiness, his honesty. The town was alive now; the shouts came to him, the gong on the hurrying engine seemed sounding on his soul.

"You ain't going to be happy, Dave," he said to himself softly.

"What?"

"Nothing."

Wolcott Balestier.



ENCELADUS.

I SHALL arise ; I am not weak ; I feel
A strength within me worthy of the gods—
A strength that will not pass in utter moans.

Ten million years I have lain thus, supine,
Prostrate beneath the gleaming mountain-peaks,
And the slow centuries have heard me groan
In passing, and not one has pitied me ;
Yea, the strong gods have seen me writhe beneath

This mighty horror fixed upon my chest,
And have not eased me of a moment's pain.

Oh, I will rise again, I will shake off
This terror that outweighs the wrath of Jove !
Lo, prone in darkness I have gathered hope
From the great waters walking speaking by.
These unto me give mercy, thus foreshown :

" We are the servants of a mightier lord
Than Jupiter, who hath imprisoned thee ;
We go forth at his bidding, laying bare
The sea's great floor and all the sheer abysses
That drop beneath the idle fathoms of man,
And shape the corner-stones, and lay thereon
The mighty base of unborn continents.
The old earth, when it hath fulfilled his will,
Is laid to rest, and mightier earths arise,
And fuller life, and liker unto God,
Fills the new races struggling on the globe.

" Profoundest change succeeds each boding calm,
And mighty order from the deep breaks up
In all her parts, and only night remains
With all her stars that minister to God,
Who sits sublimely shaping as he wills,
Creating always." These things do they speak.
" The mountain-peaks, that watch among the stars,

Bowdown their heads and go like monks at dusk
To mournful cloisters of the under-world ;
And then, long silence, while blind Chaos' self

Beats round the poles with wings of cloudy storm."

These things and more the waters say to me,
How this old earth shall change, and its life pass,
And be renewed from fathomless within ;
How other forms, and likelier to God,
Shall walk on earth and wing the peaks of cloud ;
How holier men and maids, with comelier shapes,
In that far time, when he hath wrought his plan,
Shall the new globe inherit, and like us Love, hope, and live, with bodies formed of ours —
Out of our dust again made animate.

These things to me ; yet still his curse remains,
His burden presses on me. God ! thou God Who wast before the dawn, give ear to me !
Thou wilt some day shake down like sifted dust
This monstrous burden Jove hath laid on me,
When the stars ripen like ripe fruit in heaven,
And the earth crumbles plunging to the void
With all its shrieking peoples. Let it fall !
Let it be sown as ashes underneath
The base of all the continents to be
Forever, if so rent I shall be freed !

Shall I not wait ? Shall I despair now Hope
On the horizon spreads her dawn-white wings ?
Ah, sometimes now I feel earth moved within
Through all its massive frame, and know his hand

Again doth labor shaping out his plan.
Oh, I shall have all patience, trust, and calm,
Foreknowing that the centuries shall bring,
On their broad wings, release from this deep hell,

And that I shall have life yet upon earth,
Yet draw the morning sunlight in my breath,
And meet the living races face to face.

Charles J. O'Malley.

ITALIAN OLD MASTERS.

TITIAN (TIZIANO VECELLI), 1477-1576.


HE visitor to the little village of Cadore, lying just off the great Roman road from Aquileia to Germany, finds it full of testimonies of its having been the birthplace of the greatest of colorists. His statue in bronze stands in the public square, and a little cottage near by is charged with a tablet inscribed with the information —of doubtful accuracy—that it is the house in which the painter was born.

Cadore is not a pictorial country, in the sense of furnishing subjects for the landscapist, but it has here and there strong motives and in parts is very wild; and no doubt when the boy came to live in Venice, with its islands moored on the almost tideless sea, the land stretching in every direction but seaward as far as the eye can reach, and almost as level as the sea itself, he longed for his mountains. His frequent returns to these native mountains in later life must have intensified the impressions of his boyhood to a strength which they would never have obtained had he remained among them. He did not find his color there, for the landscape is extremely monotonous in color; but he kept the feeling of the mountain-land,—its aiguilles, and its vigorous light and shade,—and besides being a great colorist, which he owed to Venice, he became a great landscape-painter at a time when such a thing was unknown. The Tuscan and Umbrian backgrounds serve only to make you feel that you are out of doors, that the blue sky is overhead, and the pleasant earth underfoot; the clouds stand for nothing, and the hills have no function but to break the monotony of the composition; the trees are mere symbols, and the nearest view of nature that we get is a bit of plant-drawing in the foreground: but Titian has the spirit of the hills, and he loves the anatomy of the trees as much as that of the human beings. He was nine or ten when he went to Venice to live, not, so far as we know, with any intention on the part of his noble father of making a painter of him, but, according to Vasari, to be with his uncle, "an honored citizen of Venice," who, finding that he had a disposition to become a painter, put him to study with Giovanni Bellini. Speculation has been wasted on his relation with other masters, and has gone so far as to make him the pupil of his comrade, Giorgione; but the art of the Bellini—it is im-

possible to separate the effect of the teaching of the brothers—accounts for Titian as well as for Giorgione. Vasari makes a statement of very great significance in relation to the art of Venice, the importance of which has not been recognized because it has not been generally understood how much the schools of central Italy depended on tradition and convention. He says:

Giovanni Bellini and the other painters of Venice, having no knowledge of early art, were accustomed to work altogether from life, though in a dry and severe manner. Titian therefore was educated in this way.

As there is here an intelligent distinction between the work of men who had inherited the precepts of a line of painters extending from Giotto to Perugino, and that of those who had only three generations of artistic predecessors, and those not of high ability, and therefore had been compelled to lean more on nature, it is impossible not to admit that the observation of Vasari was well made, and that the Venetians did study nature severely, but that the Tuscans did not. But when Vasari goes on to say that Giorgione, and Titian after him, followed the practice of painting directly, and without the preparatory drawing or cartoon, he can be correct only so far as decorative work was concerned, such as that which called out the remark, on the façade of the Fondaco de' Tedeschi; for in this class of work the correctness of drawing was of minor importance, while the vividness of the color throughout the composition was all-important. But the work of Titian, as well as that of the painters of the central schools, is full of evidence that they did not paint directly from nature, but from a carefully prepared study, probably in monochrome; and in the case of portraits the system of Titian, and possibly of the school of Venice in general, seems to have been to get the likeness in monochrome and then to put in the color according to a system as settled as that of the Tuscans, but utterly different as to technic. That the neglect of the previous preparation of cartoons was not the rule in Titian's work is clear from various data which chance has given us. When working with assistants in fresco, the work on the wall must have been left to them, and the only part the master could take was that of the preparation



ENGRAVED BY T. GOLLA, FROM THE PAINTING IN THE LOUVRE, PARIS.

THE ENTOMBMENT, BY TITIAN.

of the design for tracing on the wall. The use of oils led, no doubt, to a much greater latitude in the preliminary operations, and permitted the painter to complete his design directly on the canvas in the modern manner, and the absence of cartoons of Titian's work makes this plausible to a certain extent; but that this was a rule it is impossible to believe, for the general absence of changes in the composition of a work during progress—changes which can always be more or less easily discovered in the finished picture—indicates that the subject was put on the canvas in its final form. This definiteness of preparation in compositions of such complexity would have been impossible without a cartoon. And the fact that we have no more evidence of the practice of Bellini of making a cartoon, which he must have done while working in tempera, makes the argument of little weight in reference to Titian. I suspect, therefore, that Vasari's dictum grew out of occasional and exceptional work, which, even exceptionally, would not have been possible in tempera, the medium of the painters before Titian.

We have already seen that Bellini introduced an amount of individuality in the heads of his sacred personages which was not found as a rule or admitted as orthodox in the earlier Tuscan schools; and this characteristic is found in all the Venetian school, and became the foundation of its greatness in portraiture. The visit of Albert Dürer to Venice in 1506 does not seem to have affected Titian, though it may have had a slight influence on Bellini; nor does Titian ever appear to have been much influenced in the tendencies of his art by any of the foreign schools. There seems to have been a deep-rooted individualism in the Venetian race, which, with the strong naturalistic tendency, kept the art of Venice from being invaded by that of the southern provinces; but even this does not account for the powerful grasp of the most subtle and difficult problem in all art—that of the true relations of color to design. The intercourse of Venice with the East, and familiarity with eastern products, always so naive and poetic in their use of color, probably had much to do with it; but there must have been something in the temperament which made the ground propitious to the development of the color sense, for the men of the central Italian schools, even when they had the work of Titian and Giorgione before them, never understood the mystery and never caught the true color feeling. They learned to paint with more warmth and fidelity to nature, but the essential motive of Venetian color was orchestral (to borrow a word from the sister art of music), and this was never apprehended by the Tuscans. This quality is found in the work of Bellini, and was

extended by Titian and Giorgione; it is seen in individual forms in Tintoretto, Veronese, Bassano, and others of the time, and appears in a fantastic and artificial development in Tiepolo, who was the last of the great colorists. The date of the new departure from the restraint in which Bellini held the system was probably that of the work of Giorgione and Titian on the Fondaco de' Tedeschi, in decorative work which was freed from the conventional limitations. This was in 1507-08. After that time there was a period of turmoil and great political vicissitudes in which at the last Venice was worsted, and the records of the time are full of more important matters than art. In 1511 we learn that Titian was at work at the school of Padua with Campagnola, who was his assistant. He returned to Venice in 1512, and in the following year he appears as the applicant for an order for a battle-piece for the Council Hall and for the first vacancy as broker at the Fondaco, a privilege already accorded to Bellini and Carpaccio. In the mean time he had received and declined an invitation to go to Rome to work for the pope, and at the death of Bellini he became his successor in the brokership and in the office of portrait-painter to the doges. In 1517 he went to Ferrara at the call of Alfonso d'Este, and for him painted several pictures, of which part are now in various public and private collections. From this time Titian was occupied in work for various royal and princely clients until 1523, when he returned to Venice to paint the portrait of a new doge, Andrea Gritti. Of this time is the fresco over a landing of the Ducal Palace—"St. Christopher Carrying the Christ-child"—which still remains in not too damaged condition to be judged as an example of his fresco-work. About this time he married, and in 1530 was a widower with three children.

In 1532 the artist is called to Bologna to paint Charles V., who had come there to meet the pope. This call—which he obeyed, one can imagine, with a satisfaction meet for the occasion, for he was avid of honors and noble relations—was important to his after-life. He became the painter of the emperor, and shared his friendship, which, if we may believe the chronicles, was more to his pecuniary advantage indirectly than directly, for the emperor was a heedless paymaster; but the relation led him to Rome, where he was charged with various commissions and made the acquaintance of Michelangelo and the works of Raphael and the Greeks. But though much has been said of his having been influenced by the great Tuscan, I cannot find evidence of it in his work. Titian and his great contemporary, Michelangelo, greater intellectually than he, had little in common except the love of art. The combi-



ENGRAVED BY T. COLE, FROM THE PAINTING IN THE LOUVRE, PARIS.

L' HOMME AUX GANTS, BY TITIAN.

nation of their forms of art was impossible. Titian was then sixty-nine years old, and had a mastery of his own form of art which was as much beyond that of Michelangelo in painting as the latter was above the Venetian in his creative power in pure form as we see it in his sculpture. Michelangelo might envy the color of Titian and desire to add it to his design, as he is said to have attempted to do through Daniele da Volterra; but to imitate the color of Titian it was necessary to have the Venetian temperament, which could not be assumed for an imitation. It is impossible that Titian should have been led away by the Tuscan's color, and he drew well enough to give any degree of refinement he aimed at. But the naturalism inherent in the genius of Venice rejected the ideal forms of Michelangelo, and was indifferent to the creations of antiquity. Vasari says that he went to the Belvedere, where Titian was painting in Rome, to accompany Michelangelo on a visit to the painter. They saw the "Danaë," and, as Vasari reports, the sculptor said of Titian "that his color pleased him, but that it was a fault that at Venice they did not first of all learn to draw well; for if this man were assisted by art as he is by nature, especially in imitating life, it would not be possible to surpass him, for he has the finest talent and a very pleasant, vivacious manner."

This expression may be taken as the demonstration of Michelangelo's one-sided estimate of art. He could not admit that color required the same profound study and was capable of as great exaltation and artistic refinement as design. His feeling and powers were those of the sculptor, and color was merely the accident of nature. What art gave, to his way of thinking, was the mastery of design, the faculty of carrying the imperfect material with which nature furnished the artist up to the ideal, as one saw it in the work of the Greeks and as he tried to carry it in his own; beyond this, or compared with this, art had no aims other than subsidiary. Titian's comparative indifference to the perfection of his forms seemed to Michelangelo ignorance of art; the former may have felt, if only as an incidental charm, the dignity of the types of his great rival, but if so, it produced no permanent influence on his art.

Titian remained at Rome only a year, and in 1547 he was summoned to Augsburg to the emperor, who was in his glory, and wished to secure its record. Of this visit many portraits of the great or noble men about the emperor were the fruits, of which some remain. Titian's court life was brilliant and, what was not always the case, profitable, and he returned to Venice much the richer, but always greedy of

wealth and ready to adopt any form of servility to improve his estate. He was ready to kiss the hands or even the feet of the potentates who held the keys of success, and to beg or petition for places for his son or commissions for himself. In 1549 he was back in Venice, and returned to the imperial court at Augsburg again in 1550. His life from this time forward is little else than a succession of honors and triumphs. Vasari wrote his notice during the artist's life, and after having visited him in Venice. He says:

When the present writer was in Venice in 1566 he went to visit Titian, and found him, old as he was, with his brush in his hand painting, and he found great pleasure in seeing his works and talking with him.

Of his work Vasari says :

It is true that his way of working in his last pictures is very different from that of his youth. For his first works were finished with great diligence and might be looked at near or far, but the last are executed with masses of color so that they cannot be seen near; but at a distance they look perfect. This is the reason that many think they are done without any trouble, but this is not true. And this way of working is very effective, for it makes the pictures seem living. . . . He has been most healthy and as fortunate as any one has ever been; in his house at Venice he has received all the princes, all the learned and famous men who came there, for besides his greatness in art he has the most pleasant and courteous manners. He has had some rivals, but not very dangerous ones, and has earned much, his work being always well paid, so that it would be well for him in these last years of his life to work only for his pleasure lest he should injure his reputation.

This glimpse of the painter at work in the fullness of his reputation, having, as Vasari says, painted every lord of note or prince or great lady, gives an idea of him which is delightful in its naïveté and suggestiveness, and the delicate bit of advice (the painter was still living when the book was printed) not to do what the critic evidently thought he was doing —sacrifice the quality of his work to the haste to get his orders executed—is significant.

Titian succeeded to the favor of Philip on Charles's death, who seems more anxious on his entry into sovereignty to pay his father's debts to Titian than he was in later years to pay his own, for we have Titian's letters appealing for payment for the pictures he had painted for the emperor, and in the last year of his life (1576) he recalls to Philip the work of the past twenty years, for which he had not been paid. The end of his life, as he died alone of plague, is not pleasant to contemplate, and the last phase of his art shows that he had outpainted his reputation. There is always Titian in it,

but Titian feeble and with tremulous hand, failing to respond to the call of the will, and the sense of color fading. There has lately been discovered, by Signor Cavalcaselle, a half-length, nearly profile St. Jerome of the artist's extreme old age, a picture of peculiar interest, for it has the likeness of himself as the Saint, in devotion over a crucifix. We recognize the mighty sweep of the brush and the clear intention, but the brush trembles and the line vacillates, as it does in the master's latest work at Venice. This work

is often spoken of as the evidence that his powers were unenfeebled when he painted it, but to me it shows the failing of eye and hand alike. The tints are hot, and the impasto tremulous, the composition labored, and inspiration wanting. As the work of one who was almost a centenarian it is amazing, but as that of Titian only a lesson. Of no other painter has it ever been said that he painted ninety years, and when we look at it in that light it becomes a miracle.

W. J. Stillman.

NOTE TO THE LIFE OF TITIAN.

THE following passage from Boschini (*Ricche mire della pittura Venetiana, di Marco Boschini: Venezia, MDCLXXIV*) will prove of interest to those who care for the ancient methods of painting, as Boschini was a friend of Palma Giovine, and near enough to Titian's age to have seen him paint, though, as he does not say that he did, this is not to be presumed. At all events, he certainly was able to learn all that Titian's pupils and personal circle could tell of his ways. He says: "Giacomo Palma the young [so called to distinguish him from the other Giacomo Palma, called the elder], who had the good fortune to enjoy the instruction of Titian, assured me that he toned down his pictures with such a quantity of colors that they served [so to speak] as a bed or foundation to the expression which he was to elaborate on them; and I have seen bold touches with masses of pigment, sometimes a strip of terra-rossa pure, which served [so to speak] as middle tint; at other times with a brush full of white, and with, on the same brush, a tint of red, of black, and of yellow, he formed the modeling of a light and shade, and in this manner he brought out in four touches the indication of a fine figure. And in every respect such ways of laying in delighted those best acquainted with the manner of working technical processes, and desirous of learning the best way to venture on the ocean of painting. After having prepared these precious under-paintings, he turned the canvas to the wall and left it there sometimes for months without seeing

it, and when he wished to take it up again he examined it with great care, as it were one of his worst enemies, to see if he could find in it any defect; and if he found anything that did not agree with his intention, as a benevolent surgeon he reduced the protuberances and excesses of flesh, straightening an arm, etc., and so working, and reforming the figure, he reduced it to the most complete symmetry that was demanded by the beautiful in nature and in art; and then, this all done, he set about another painting till the first was dry, and repeated the operation; and from time to time he covered them with living flesh [here he uses an expression which I cannot explain or understand], *these extracts of the fifth essences*, bringing the work up with repeated repainting to such a point that only the breath was lacking. Nor ever did he work *alla prima*; and he used to say that he who sings, improvising, can never make scholarly verses, nor well polished. But the perfection of these last repaintings came at last when from time to time he united the lights with touches of his finger, bringing them near the middle tints, working one tint into another; at another time with a smear of the finger he put a passage of dark into the corners to strengthen them, besides certain touches of red, as it were a drop of blood which strengthened some superficial quality; and so he went on bringing his figure to perfection. And Palma assured me positively that in the finishing he painted more with his finger than with brushes."

DE HANT ER BUZZARD'S NES'.

Do you think that the buzzards will build in the old nest again this year, Uncle Abner?"

"Why, bress your little heart, honey, I cert'n'y hopes dey will. Dey's been er-buil'in' dar fur nigh onter er hundud yeah, an' when you retches your han' in de holler an' don' feel sumpen lack two leetle balls er cotton, dar gwine come trouble on dis heah lan', shore."

"Tell about it, Uncle Abner; do, please."

"Hain't it 'mos' time you was er-bed, honey? White folkses Cain't toas' dey shins all night lack niggers. Well, well, ole Unc' Abner tell it jes' dis onct. You, Rob Roy, fling ermudder chunk on dat ar fire! Squar' roun' an' give dese heah ole foots er chance! Um! gittin' mighty cole fur Feberwary, an' de a'r smell powerful lack snow; de ole 'oman shake de feeders out'n her piller-slip 'fore mornin', I spec'.

"Well, as I were er-gwine fur ter tell you, dey's been er-buil'in' dar fur nigh onter er hundud yeah, an' dey nebbur fail but one time; den dey fail right erlong fur three yeah! It



"AN' TELL 'IM MIGHTY SOLEMN 'BOUT DE NES'."

were long erbout '59 or '61, an' dar were er mighty gedderin' er comp'nies, fur we all spec' we gwine ter have er wah. Sech er gittin' up er fine toggery an' sech drillin' an' cavortin' 'mongst de boys! It were all mighty fine fun fur ter be sodgers, er-shakin' er dey long feeders on dey hats, all hitched wid er gole star, an' er-prancin' in dey gray clo'es, fur dey don' know what wah were *den*!

"Your paw he were ole Miss's baby boy, he git ter be er cap'n, an' de house were plum' full er sodger boys, er-gittin' ready ter 'go out' fur ter whup dem Yanks tuther side er nex' week. Ole Marse, your gran'pap, honey, he were too ole fur ter go out, but he give he house ter 'em, an' work fur 'em, an' ride fur 'em, an' hope 'em cuss. Nobody think nuffin' 'bout de buzzard's nes' *den*. Well, dey 'go out', an' we heahs big things 'bout de boys er-bein' er-moted an' sech, an' we all proud, lack ter bust. Well, de early spring come 'roun', an' ole Marse he sen' me one day, he did, wid er letter ter Misser Powell, wha' live on de nex' plantation. I hatter pass right by de ole holler oak, an' I says ter myself, says I, 'When I comes back I feel an' see if de buzzards come *yit*.'

"Well, I tucken de letter an' putten de answer in my pocket. It were er mighty putty day, de a'r all hazy wid de 'leetle wood-folkse's house-cleanin', an' de trees an' de plum thickets so fresh an' sweet wid dey new leaves. I sees de ole tree, 'way over yander, er-flappin'

her arms fur ter make de leaves come fas'er, an' I falls ter wond'in' how ole she air, an' what make de big holler right in her heart, an' how de buzzards fin' it out. I comes 'long closter, an' I sees de white sand-pit, flat an' big as er flo', whar nuffin' ever grow, an' whar de hants dance in de dark er de moon; an' I sees de big brack'n on dis side, wha' grow tall 's er big man, dough I feels sorter oneasy in my min', 'ca'se, honey, I were *horned wid er veil*. But I kneels down an' retches my han' in de holler, an' dar wa'n't but one leetle buzzard dar, an' he were *dead*! Lawdy! did n't de cold sweat jes bu'st out an' rin down! But I riz up, an' taken de letter ter ole Marse, an' tell 'im mighty solemn 'bout de nes', an' 'bout de ole prophesyn'; but he jes laugh an' say, 'Go 'way, Abner, 'long er your nigger tales!' dough he do look mighty cu'i's, an' go see fur hes'e'; den 'pear ter furgit plum' all erbout it. White man ain' lack er nigger; he heahs onsay in things, den laugh an' go 'bout he business; but er nigger he tote it in he min', an' steady 'bout it.

"Well, bimeby all de niggers gits holt er it, an' dey all trapes down fur ter feel de dead buzzard wid dey own han's. Den dey hole er big meet'n' on Sad'day night down by de sand-ditch, an' ole Parson 'Bias he lead. He were f'om Misser Tarleton's plantation, but dey could n' have no big meetin' dout'n¹ ole 'Bias fur more 'n fifty mile erroun'. Oh! how de pra'rs went up, full an' strong, fur 'liverance

1 Without.

f'om de spell er Satan, f'om de transgressions er de people wha' bin er-dancin' sumpen 'sides de 'ligious dance, f'om de sins wha' besot us on bofe han's, dat we mought be geddered tergedder lack chickens on one roos! Oh, dey was fetchin' pra'rs, honey! Dar was no lessen twenty unner conviction, an' ten mo' onsaert'in s'archers on de mourners' bench! But bimeby dey all git quiet, an' de white folkses done furgit all erbout it; de niggers don't tell all dey sees, but keeps up er power er steddyin'. Dar were shore 'nough wah now, an' your paw, honey, wha' were ole Miss's baby boy, he ain't got no time fur ter come home, dough ole Miss she gittin' mighty po'ly, an' ole Marse he walk de

fur nuffin'! De ole uns cry an' holler, 'O Lawd! how long it gwine be?' but de young uns walk off peart an' sassy, lack de goslin's dat gwine git inter trouble 'fore de him kin git dar.

"Well, I knowed dar were trouble er-comin', honey, 'ca'se I were borned wid er veil. Bimeby we don't heah no more f'om young Marse, an' one day we fixes up good eatin' fur de Rebs, an' s'ont word by 'em; an' nex' day de Yanks come 'long an' rob de smoke-house, twel we ain't got nuffin' good fur ter eat lef'. Den one rainy, soggy mornin' young Marse he comes home wid er ball in he shoulder. I never will furgit dat day! Dar he lay, so



"FUR TER FEEL DE DEAD BUZZARD WID DEY OWN HAN'S."

flo'res'less-lack. We hatter ride'way over tuther side er Bolivar fur ter git papers an' sech f'om de front, an' when ole Miss git 'em, 'pear lack she dat glad she 'mos' eat 'em.

"Well, de two year roll roun' erg'in, an' dey ain' one leetle buzzard dar, not eben er dead one, airy spring! We all feels sorter on-easy in de min' fur er while, but dar ain't nuffin' happen. De buzzards jes tired, an' wanter give de ole tree er rest, dat all, an' de niggers sorter laugh at ole 'Bias. But he shake he head slow, an' zort an' prophesy 'bout de lamentations er de people gwine bust, lack er mill-dam in de spring; fur de wicked gwine wag erlong lack er big warnut-tree dout'n any warnuts on it; but de winter comin', an' de ax gwine hunt fur dem roots, an' it gwine be split inter fire-wood, 'ca'se it done tuck up de groun'

still an' white, jes lack he dead, an' we all fly 'roun' lack chickens wha' git dey neck runged. Ole Miss she cry, an' wring her han's; she ain't got no darter, all her chillun bein' manchiles, an' your maw she come over an' stay wid ole Miss, an' hope nuss young Marse.

"She were er putty leetle gal den, in er white coat, wid big blue eyes an' long yaller hair,—she had n'married your paw den,—an' sech times we all had! Dar she were, er-beatin' er he pillers an' er-readin' ter 'im, when he got better, an' er-goin' in de kitchen, er-scrapin' up, fur ter make good things fur 'im (honey, we was mighty short), an' er-smilin' at ever'body, twel it seem 'mos' lack we ain't got no trouble nor wah nor nuffin'! Well, bimeby young Marse he git erbout, an' he look mighty white, but he say he got he principles ter fight



fur, an' one putty mornin' he kiss 'em all 'roun', an' ride erway. Den ole Marse he shut hisse'f up in he stiddy, an' ole Miss she fall mighty po'ly, but Miss Kate,—she ain' got no maw,—she stay wid her, fur ter hope her up. But ole Miss she don' git no better; she want her boys herse'f, an' want 'em ter fight fur dey principles, too! Po' ole Miss! But 'oman folkses is cu'i's creeturs! Ole Marse he say he sen' fur 'em, but ole Miss she say, No; she b'ar it lack er Sparting, er sumpen. But she did n'—po' ole Miss! She were de bestest 'oman dat ever breaved, shore! But she were po'er an' po'er, twel she sorter laugh sad-lack, an' say ter Silvy dat her clo'es don' fit her no mo'; dat clorf were hard ter git anyhow, an' she cut 'em up an' have two dresses whar she had one. Ole Marse he don' pear ter see how she fail, but de doctor he come an' say it were her heart dat was de matter, dat she want her boys, dat she mus' 'pear'n up an' be proud er 'em, an' let 'em be true ter dey principles.'

"Den ole Miss she git mad, an' say she don' want 'em home; she would n' let 'em come! Ef dey wanter, dey no sons er hern; but if Doctor Jinkins did n' have no physic fur ter hope her, he mought as lief stay at home. But po' ole Miss! she were er-grievin', an' we knowed it. One night dey wake us all

up, an' say ole Miss mighty sick, an' dey want some un ride fur de doctor right quick.

"It were de dark er de moon, an' de very stars look skeered-lack an' hazy; de big owls hollers an' laughs down in de wood-lot, an' er leetle screecher he keep er-shiverin' 'way over in de nigger buryin'-groun'. Eben he knowed he hatter pass dat buryin'-groun', but he say he go, an' he mount de ole gray mar' muel, an' start. Well, he ride 'long, er-whistlin' fur comp'ny, er-feelin' mighty scrumptious as he nigh de nigger graveyard, dough he ridin' right fas'; but he ride right 'long twel he come ter de buzzard's nes' tree, when dat ole Jinny muel, she r'ar an' fling dat Eben plum' over her head—I allus did 'spise er gray mar' muel. Well, he pick hisse'f up,—er muel never did break er nigger's neck, nohow,—an' mount erg'in'; den she r'ar dis time, an' Eben look, an' right dar under de buzzard's tree, er-standin' wropped in de robe er de windin'-sheet, were er hant, wid his long arm er-p'intin' over at de big house!

"Dat Eben he did n' wait fur it ter call him, but he 'clude mighty quick fur ter go ter de doctor's roun' tuther way. So he ride fitten ter bu'st er trace; but when he git ter de crossin' dar wa'n't no crossin'dar, fur de rain done swell de branch twel she rin lack er ribber; but he swing dat ole Jinny muel in, an' swum it!

"Well, Doctor Jinkins he git here jes' fore day, an' dat nigger he come in rale ashy, er-shakin' lack he got de agur. He don' want ter tell what he seed, but he set in de cabin, an' rock hisse'f, an' moan, twel he rin we all pretty nigh plum' crazy.

"Well, de doctor say dar ain' no hope fur ole Miss; her heart were jes plum' broke, dat was all. She mought live two days, an' den erg'in' her moughnt live fo' hours.

"Oh, dat sun, when he come up, seed er power er weepin' an' cryin' 'mongst we all—'mongst de big an' de leetle, de black an' de yaller! Fur de niggers all loved ole Miss, plum' lack she were kin, bred er blood an' bone; fur she keep ole Marse f'om bein' hard on de lazy uns, an' de good workers she make much er herse'f. Arter breakfus ole Miss she sont fur us dat waited roun' de house. Dar wa'n't many er us, fur Marse Clar'nce, ole Miss's ol'es' boy, he caired er big lot er niggers off ter Texas at de breakin' out er de wah.

"Well, ole Miss she sont fur us, and we all come in wid er big lump in de thote; den she talk ter we all, twel it seem lack we 'mos' see de pearly gate er heaven er-swingin' back fur ter let her in! Ole Marse he set dar wid he head on he han's, an' jes keep er-lookin' at er spot in de carpit. Den ole Miss she talk ter him sof'-lack, an' tell him ter be good ter her niggers when she gone, an' ole Marse's lip it

trimble, an' he look hard at de spot in de carpit, an' she say we has all been on de place so long twel we was chillun ter her, plum' lack her chilltn.

"Den she tell Dilsy, wha' were de house-keeper an' tote de keys, ter allus give Aunt 'Nerve some white sugar, if dar any dar, when she ailin', lack she allus do; ter see dat ole Mammy Mary got plenty flannens an' tea fur her rheumatiz when it cole: ter do dat if she love her, an' dat Dilsy she fling her ap'un over her head, an' cain't talk fur she cry so; but she nod her head, fur ter say, 'Yes 'm; I do it.'

"Den ole Miss she say good-by; dat she wait fur we all tuther side er de ribber, wha' dar room fur all good white folkses an' niggers too. Den we all go out solemn, lack 't were er funeral, an' dar wa'n't no work done dat day. De a'r was all hazy, an' de sun keep gittin' behin' er cloud, an' we all sot erbout an' talk low in de quarters. 'Bout sundown de dorgs 'gin ter howl moanful-lack, an' er whup'-will he cry so lonesome an' pitiful; den ole Mammy Mary she say solemn dat 'Def done come!' an' fol' her arms, wid de big water er-drappin' out 'n her eyes, an' rock, an' chant er song er de dead. Honey, dey were times er sorrer an' great tribberlati'n, dey was! Arter while we all could n' talk fur de choke in de thote, an' jes sot an' wait; we don' want nuffin' ter eat, fur it wa'n't no time fur eatin' an' drinkin', an' mos' all er us could n' swaller. Bimeby Dilsy she come er-swingin' an' er-rockin', wid her face all kivered up, an' go in her cabin an' shet de do'. Den we knewed it were all over.

"Po' ole Miss! dat allus hoped up de po'ly, an' make de weepin' laugh; dat went erbout jes er-totin' comfort fur de sufferin', be dey white er be dey black! Po' ole Miss! dat 'u'd take her fines' linen any day fur ter make er po' ole black nigger er windin'-sheet! Honey, if dar's one angel in de big sky erbove, your gran'maw's dar.

"Well, dey laid her out in de big parlor, wha' ain' been open sence young Marse went er-way, wid her ole red Bible, wha' she read ter we all eve'y Sunday nigh onter thirty yeah, wide open on her bres' at de tex', 'Bressed air de pure in heart: fur dey shall see Gord.' An' she do see him, honey, right now, at dis dressed minute. Dat night de big owls dey come an' set on de well-house, an' holler an' look in at de winder, so's we hatter beat 'em off wid brooms; an' de frogs hollers lack dey miss sumpen; an' de dorgs howls lack dey miss sumpen; an' ever'thin' seem lack it cryin'. We Cain't git no word ter any er de boys, fur de blockage, so nex' day de neighbors f'om all erroun' comes, all er-cryin' an' er-tellin' sumpen wha' ole Miss done fur 'em, an' we lays her erway in de family buryin'-groun', wid

ole Marse, Miss Kate, an' all de niggers fur de family mourners. Dat evenin' when de sun was nigh onter set, me an' Silvy went an' plant some white vi'lets, wha' ole Miss loved, on de new grave, an' sot dar an' talk low twel it gittin' plum' dark; den we comes in, slow an' sad-lack, an' lef' ole Miss 'lone ter Gord!

"Arter dat, trouble come thick an' fast. One by one dey fotch in de boys, woun'ed or dead, all 'cep'in' ole Miss's baby boy, your paw, honey. He stay an' fight fur de principles er all 'em, de livin' an' de dead, an' pear lack de bullets were erfeared, an' cain't tech 'im no mo'. Den ole Marse he taken de p'ralsis jes as hopeliss as er baby; an' twix' de bushwhackers an' de grillers, an' de grillers an' de bushwhackers, we ain' got but two er three hosses er muels lef' an' leetle er nuffin' in de smoke-house. We all niggers hatter run dis heah place by ourse'fs, on one wheel, an' one wid de spokes bruk, at dat. We hatter lie ter de derned ole blue varmint, an' de grillers, wha' were jes as bad, dough dey do w'ar de gray, 'bout de family silver an' ole Marse's money, wha' we all buried, twel dey 'clar' dey make eve'y year ole tree in de county hol' er strung-up nigger!

"Pear lack ole 'Bias, wha' prophesied 'bout de buzzard's nes', wa'n't no sech big fool arter all, an' de niggers wha' laughed don' laugh no mo'. Den dey sot it er-goin' dat de hant stan' unner de ole tree eve'y night; he don' wait fur de dark er de moon, but stan' dar in de shinin', er-swingin' his long arms ter de norf, an' den ter de souf, an' ole 'Bias he prophesy erg'in, an' chant 'bout de strong man er-bein' tucken in de battle, an' de mighty fighter hatter give in; an' he say dat de Yanks gwine whup us shore! Den he perpare ter 'view de sperrit, wha' Cain't res' in he grave, an' ast wha' he do wid de buzzards, an' wha' he got on he min'. An' ole 'Bias he gadder de brack'n seeds while he chant, an' putten 'em in he shoe; den he taken he charm, wha' were er rabbit fut, er sarpint's toof, an' er squorerpin's¹ tail, wid er pinch er graveyard dust, sewed up in er bag, an' wait fur night ter come. Well, de moon were er-hidin' dat night, an' we all went wid ole 'Bias nigh ter der nigger buryin'-groun',—all de preachers, de zorters, an' de Christians,—den he went on erhead, in de plum thicket, fur ter strive wid de sperrit. He creep up by de tree, an' taken he shoes off in de high brack'n, wha' were er-rockin' in de night-wind, lack it were er-grievin'. Den he riz up an' chant low an' solemn-lack, er-callin' on de sperrit, wha' ain' flesh, needer blood nor bone, fur ter answer him; an' he stan' dar wid de wind erblowin' er he white hair, an' wait. Jes den er big owl in de holler tree he open he head

¹ Scorpion.

an' holler, 'A-hoo! A-hoo-a!' an' ole 'Bias he don' wanter wait fur ter heah wha' de sper-rit gotter say; he ain' got no time fur ter git he shoes, but he jes light out f'om dat ar place quick, in he bar' foots!

"Arter while dey hatter bury er dead nigger in de graveyard; den we fin' out wha' make de hant. Dar in de cornder er de worm-fence, wid he gray clo'es done all spotted wid blood, were de body uv er Cornfedrit sodger; he were woun'ed, an' were er-comin' home, but he could n' git no furder, an' he jes laid down ter res' whar de po' ole niggers sleeps. Well, dey buried him in de fambly buryin'-groun', longside er Marse Roy. Dey don' know who he be, but dey w'an de same clo'es, an' dey fit de same fight, an' dey was brudders in de prin-ciples!"

"Well, de hant still walk roun' de buzzard's

¹ Within.

² Millennium.

nes' tree, an' we don' know wha' he want, fur dar ain' nobody try ter'view im sence ole 'Bias, an' dar ain' no nigger on dis heah place dat'll go d'in¹ er mile er it at night; an' 'pear lack he 'll walk am' walk, twel de 'lenium² come fur ter let 'im go!"

"Yas, sir; if de buzzards don' buil' in de ole nes' dis yeah, dar gwine come trouble on dis heah plantation, shore!"

"Uncle Abner, do you reckon the hant 'll catch me if I run all the way between here and the house?"

"De Lord bress your soul, chile! hain't you gone ter bed yit? You Silvy, tote dis heah chile up ter de house, quick! Miss Kate 'll be er-thinkin' dat dese trompers done steal him, shore!"

"Good night, Uncle Abner."

"Bress your leetle heart! good night, honey!"

Virginia Frazer Boyle.

THE AUSTRALIAN REGISTRY OF LAND TITLES.



HE hearty approval which has been given to the method of voting known as the Australian ballot, and its adoption in several States, may rightly raise the question whether a body of Englishmen brought up under the English common law, containing among their number an unusual proportion of well-bred men, migrating to colonies of great productive capacity, may not have found out many other ways to improve upon English methods before such inherited methods had become wholly incorporated or ingrained in the customs of the people of the new States.

In one respect, at least, the settlers in the United States improved upon the mother country in establishing a registry of deeds. But the Australians seem to have made a long step in advance even of ourselves in the matter of registering titles to land, and by the same process assuring indefeasible possession, while taking possession of the deeds or evidences of title after the registrars have passed upon them.

To the mind of the writer the distinction between the registry of a deed and the assured registry of title was not at first very plain; it may not be very apparent to the readers of THE CENTURY who are not of the legal profession until it has been explained by one who is also not learned in the law.

The registry of deeds suffices to put upon a

public record the conveyance of all claims to the possession of land, good, bad, or indifferent, whatever they may be; but it does not clear or assure a title. Through ignorance or carelessness in making deeds, this public record may even bring the possession of land which has once been clear and free from any cloud into a condition of complexity and doubt, and it may, as time goes on, increase rather than diminish the defects and may cloud more and more the titles to land.

The registry of titles, on the other hand, according to what is called the Torrens system, which has been adopted throughout Australia, New Zealand, and in British Columbia, clears all fair and honest titles, removes all existing clouds, and gives the occupant whose title passes the examiners in the first instance indefeasible possession; while at the same time rendering the future transfer or conveyance of the land as simple and as ready as the transfer of a share of railway or factory stock now is in this country, and reducing the cost of conveyance, as it has been well put, "from pounds to shillings."

The legal aspect of this question might well be presented by some one who is learned in the law. The writer purposes to give only a simple description of this method, which was introduced into South Australia in the year 1858 at the instance of Sir Robert R. Torrens, who was first an officer in the customs department and subsequently colonial treasurer. This gentle-

man had gained a good deal of experience in the customs department in passing the indefeasible titles to ships by a registry. Upon entering upon his duties in Australia, his attention was called to the growing complexity in the system of land tenure, which was then conducted in English fashion under the law of primogeniture, the system which on the decease of the owner vested the title to real estate in the eldest son. He conceived the idea of establishing a system of surrendering all deeds to land, coupled with a registry of title by the state in a manner corresponding to the sale and registry of the titles to ships.

His purpose has been most fully accomplished, and the benefit which has ensued could not be more concisely stated than in the book of Mr. Franklyn entitled "A Glance at Australia in 1880." Mr. Franklyn, page 126, writes thus :

Nor must we forget to remind our readers in England that under the Land Transfer Act (New Zealand), which is almost a transcript of the admirable measure introduced into South Australia by Sir Robert R. Torrens, and afterward adopted by the legislature of Victoria, real estate can be bought, sold, or mortgaged by a very simple and inexpensive process. The Government guarantees an indefeasible title; and all transactions relating to land are so expeditiously and cheaply effected that, in the year ending the 30th June, 1879, the cost of each of 17,422 registration sales and mortgages, covering property to the value of £7,585,291, was only 22s. 9d. Let any one who knows anything of conveyancers' bills in the mother-country ponder well upon the full force and meaning of these highly significant statistics. Land can be dealt with as easily as a share in a ship or a joint-stock company, and with the same security as regards title. Trusts are not registered; but instruments declaring trusts may be deposited with the registrar for safe custody and reference. These deeds are binding between the parties to them, but they in no way affect persons dealing with trustees who are registered proprietors. Under the Land Transfer Act it is not necessary to examine the deeds in the abstract of title; these no longer exist. They have been delivered up to the registrar, and when a certificate of title is granted they are canceled. An investor, therefore, does not run the risk of a mistake or blunder of his solicitor. Every transaction has its finality and complete security.

The Torrens system opens the way to this useful end in a perfectly simple and safe manner.

Leaving, therefore, all the legal aspects of the case for treatment by others, the writer will deal with this subject in a popular way, treating only the existing laws of the British colonies in a way that may be readily comprehended. In doing this he will refer to a pamphlet (undated) published by the Cobden

Club about the year 1881, which contains essays and addresses which were prepared by Sir Robert R. Torrens in his futile attempt to overcome adverse influences in Great Britain, which have thus far prevented the introduction of this system into his native country. This pamphlet is published by Cassell and Co., price 6d.; it can be ordered from their place of business in New York. The writer will also refer to very instructive letters received by himself, in answer to his inquiries, from Mr. T. V. Townley, Registrar of Titles in British Columbia, and from Mr. J. M. Thomas, Secretary, and Mr. W. M. Bacon Carter, Registrar-General of the Colony of South Australia, from whom he has also received copies of the acts under which the land titles are now registered.

The acts consulted by the writer are chapter 67 of the Acts of the Legislative Assembly of the Province of British Columbia, 1888; and Act No. 380, known as the Real Property Act of 1886 of the Colony of South Australia, in which all previous acts were consolidated, subject to only three amendments since that date, which are contained in Act No. 483 of 1887. The writer has also been furnished with data by the Surveyor-General of western Australia, and has obtained valuable information from the officials of New Zealand.

Reference may also be had to the excellent "Consular Report" of Consul G. W. Griffin, Nos. 110 and 111, page 760, published by the State Department of the United States.

The writer is thus definite in giving references to documents which can be readily obtained, for the reason that it can hardly be doubted that it may become expedient for the people of many States in this country to give close attention to the subject. In the Southern States especially it will soon be absolutely necessary to take measures to clear the titles to land.

Without making further specific reference to these authorities, the following simple treatment will cover the main points of this system. I shall incorporate in this treatise many statements in substantially the same form as they are given in the authorities which I have cited, without confusing the text by marks of quotation. My object is merely to give a clear and concise digest of what has come to my hands upon a subject about which I had no previous knowledge until, among many of the benefits of being a member of the Cobden Club, the essays of Sir Robert R. Torrens were sent to me. Even then my interest was not fully excited until the merits of the Australian ballot were developed in practice in this country.

It should be remembered that no one is compelled to bring his land upon the registry of titles; if one prefers to rest upon the regis-

try of deeds as now established, there is nothing in any of the acts to prevent his doing so. If, however, a title is once registered, it cannot be withdrawn, because all deeds are then surrendered and the register of the deeds must be closed. Transfer by registered title thereafter takes the place of the execution of deeds.

It may be remarked that the change could be made in this country much more readily than in a country where there had been no previous common practice of registering deeds, and therefore no adequate preparation. Whereas there are now established registry offices and public officers empowered to register deeds, therefore the registry of titles could be established so as to be conducted by the same officers, to whose number would be added the examiners of titles prior to their admission to the registry. It would be very easy to provide for the payment of the examiners of titles by established fees suitably governed according to the amount of work and the value of the property, so that the same conveyancers who are now employed by owners in passing a title would be employed by them in putting that title on the registry. A long time would elapse before the whole land had been treated; therefore while in the end the number of conveyancers would be very much diminished, yet for a considerable time even more work might be required of them. In the interval the work of the title insurance companies would also be of great service, but their function would probably be gradually converted into that of mortgage security companies lending money on registered land titles.

What then may be done to promote this change, if it proves to be expedient?

Conveyancing by deed without registration is the common rule in England; registering deeds, the common rule in the United States. Conveyancing by registration of title was not new when Sir Robert Torrens applied it in Australia, although it is said that his attention was first drawn to the subject through his experience in the registry of ships. It has been in operation for over a century in Prussia, in Bavaria, and in other European states, notably in Hamburg, which until lately was one of the free cities, where a similar system has been in operation for over six hundred years. Purchasers of estates in Paris may also obtain an insured title by payment of a small fee to the city.

In Australia the method of procedure is described as follows: The person or persons in whom the fee is claimed to be vested may apply to have the land placed on the registry of titles; these applications, together with the deeds, evidences, and abstracts of title, accompanied by plans of the land, are submitted for examination to a barrister and to a convey-

ancer, who are styled examiners of titles, who examine the titles exactly as they would on behalf of an intending purchaser, if the title were not to be registered. The report of the examiners is made to the registrar. If the title is a good holding title, the application is admitted. Should the applicant fail to satisfy the examiners, it is rejected. If there is evidence of title wanting, of which the reputed owner can compel completion, notices corresponding in many respects to those required in our probate courts are served, according to the nature of the case. Notices are served, if any are required, as the examiners may indicate, upon any person likely to be interested in law or equity who has not joined in the application, and upon owners and occupiers of contiguous land. These notices set forth the purport of the application, and intimate that unless objection be made by lodging a *caveat* within the time prescribed by the registrar, the land will be brought under the provisions of the act and an indefeasible title will be granted to the applicants. If within the time appointed a *caveat* is lodged, the action of the registrar is suspended until it is withdrawn, or until a final judgment of the supreme court can be obtained upon the question raised. These notices are given by publication, and are complete and final.

The certificates of title are issued in duplicate. These certificates set forth the nature of the estate of the applicant, whether a fee simple or a limited ownership; they notify, by memorials indorsed, all lesser estates, leases, charges, easements, rights, or other interests current or affecting the land at the time. Ample space is left for the indorsement of subsequent memorials recording the transfer or extinction of future estates or interests.

Applicants are not subjected to the expense of putting the paraphernalia of a court of justice in motion, unless there be some adverse claim to be adjudicated upon.

It is held that "indefeasibility is indispensable if the dependent or derivative character of titles, out of which all the evils of the English system originated, is to be got rid of." But yet, since in spite of every precaution a mistake may be made in granting indefeasible titles, a small charge is made at the rate of one half-penny in a pound sterling, which amounts to twenty-one one hundredths of one per cent. (say one fifth of one per cent.), upon the value of the land when first brought under the system, and upon the value of the land transmitted by will, or upon the intestacy of the registered proprietor. This almost inappreciable sum has been found far more than sufficient for the object. A large insurance fund has accumulated in each colony during the period in which the act has been in operation.

It was held that this principle of compensating a rightful owner by a money payment, if perchance a lawful claimant had been deprived of land by an error, instead of allowing him to recover the land against a good holding title, would commend itself to the sense of natural justice, as contrasted with the principle of English law which in such case would place an owner in possession not only of his inheritance of the land itself, but also of the capital of parties who, being wholly innocent of all fraudulent intent, may have invested their fortunes in buildings and other improvements thereon.

On the other hand, it was held that a great economic principle would be subserved by a system which would give absolute security to the employment of capital in improved land. At the time of the publication of Sir Robert R. Torrens's essays in 1881 he was enabled to say that the practical result had already been to add largely to the wealth of the community by restoring to their value as building sites many blocks of land which had been deprived of that special value by technical defects and uncertainties attaching to the title. Subsequent evidence more than sustains the testimony of Sir Robert R. Torrens.

The rules in respect to the registration of mortgages are equally simple. The evidence of many parties who have borne testimony in parliamentary investigations of the subject, and in other ways, is conclusive on this point.

In 1879 Sir Arthur Blyth, Agent-General of South Australia, in which colony he had resided over twenty years, holding a high political and commercial position, testified before a committee in the House of Parliament as follows:

Registration of title is almost universal; for one transaction under deeds now there are one thousand under the Real Property Act; it is a curiosity if you get a person with deeds. To a person wanting to borrow money of me, I should say, first, "Real Property Act, I suppose?" Then the next thing would be, "You do not want a lawyer, I suppose?" He would probably say, "No." I should then say, "Come with me to the registry office; you have got your certificate with you," I should draw out a mortgage on the counter at the registry office, where printed forms are provided, have it witnessed and handed to the clerk, saying to him, "It will be ready to-morrow afternoon, I suppose?" When the mortgage is paid off, the transaction is even simpler. Suppose you were the mortgager and I were the mortgagee. Before you give me the money I should sign this receipt before a well-known person, and give it to you, and let you go and clear your title.

To the suggestion adverse to the adoption of this system in England, derived from the more recent origin of titles in the colonies, it

was held that many of the titles there dealt with, and those among the most valuable, dated back sixty years or upward; and that owing in part to unskilful conveyancing in the earlier days, and in part to the frequency of dealings with land in new countries, complexities and difficulties no less grievous than those which oppress the landed interest in the United Kingdom had been superinduced upon comparatively recent titles.

These difficulties and clouds appear to have been fully cleared.

The registrar of New South Wales reported in 1881 that although the Real Property Act, or Torrens system, had been in operation eighteen years, no compensation had been made upon the titles registered, nor had any claim been sustained against the assurance fund, which at that time amounted to a little over thirty-eight thousand pounds sterling.

Under date of February 4, 1890, Mr. W. M. Bacon Carter, Registrar-General of South Australia, in answer to questions put to him by the writer, gives the following information:

The Torrens system is working satisfactorily. It has been established so long (since 1858) that all doubts as to the benefits of the system have nearly vanished. The area of South Australia in acres is 243,244,800. There had been alienated from the crown since the foundation of the colony 6,963,961 acres, of which 5,793,707 had been brought under the Real Property Act. The assurance fund continues to accumulate, and on the 31st of December, 1889, it amounted to eighty-two thousand pounds.

In this colony the estate of deceased persons is vested in all cases in the executors or administrators, instead of the devisees or next of kin, the onus being thrown on the executors or administrators to transfer to the persons beneficially entitled. The law of primogeniture was abolished in 1867, and the real estate in cases of intestacy is administered in the same manner as the personal estate.

The owners of land which has not yet been brought under the act steadily apply whenever they desire to deal with the land, not before. If an owner can prove a title by possession for the requisite number of years provided by the statute of limitations, and can show that the true owner was under no disability when such adverse possession commenced, his application would be passed.

In the colony of British Columbia a slight change has been made: the indefeasible title is not granted until after seven years have elapsed from the first application. The act which is now in force in this colony was framed by a special commission appointed by the local legislature, and was brought into effect in 1870. Before that date a system of recording deeds was in use, but the business done was very trifling. The whole province is now un-

der the later method. It differs from the Torrens system in two important particulars:

First. There is no guarantee fund on the first registry.

Second. The certificate of title first issued is only a *prima facie* title of record.

To effect registration of an absolute fee, the following course is pursued: The application is filled out. It is then the duty of the registrar to examine all title-deeds produced, and if satisfied that the applicant has established a *prima facie* case, a description of the property is recorded in a book called the Absolute Fees Parcels Book, and is also entered in the Register of Absolute Fees, in which is given a short epitome showing the nature and legal effect of the title. A certificate is then issued. After registration for seven years the owner may apply for an indefeasible title. If after advertising for three months no adverse claim is made and substantiated, he obtains a certificate of indefeasible title, good against all the world except the crown. The registrar must be a duly qualified barrister or solicitor. The best evidence that the act works satisfactorily is that no certificate of title has ever been attacked since the beginning of registry under the act in 1870. The popular verdict is entirely in its favor, for every title is sifted as it comes in, and the mistakes of ignorant conveyancers, or those arising from other causes, are rectified before they are allowed to affect the title. One great advantage is that any one can search a title for fifty cents. The great expense arising from the registration of deeds is entirely done away with.

The ordinary fees for registration are as follows: A fixed fee of \$2.25 on each registration and in the case of an absolute fee; in the latter case one fifth of one per cent. of the declared value of the land up to \$5000, and one tenth of one per cent. of the value over that amount, is paid. Suppose a person declares the value of his land at \$7500, and applies to register the title:

The fees are, fixed	\$2.25
One fifth of 1 per cent. of \$5000 .	10.00
One tenth of 1 per cent. of \$2500 .	2.50

\$14.75

If the \$7500 were a mortgage, the fees would be, fixed	\$2.25
One tenth of 1 per cent. of \$7500 .	7.50

\$9.75

The whole province is under the operation of the act. Mr. T. V. Townley, the district registrar, who kindly gave me this information, says: "I cannot give you any better idea of the value of the land dealt with than by saying that the fees in this office alone for the

last six months have averaged about \$2200 per month; and there are two offices in the province."

In bringing this subject before the readers of THE CENTURY it will be assumed that all readers will substantially agree upon the following premises:

First. That private possession or ownership of land is necessary to its most productive use.

Second. This ownership, granted or secured among English-speaking people by original titles derived in the first instance from the king, subsequently either derived from the state or acknowledged by it, is held under certain conditions, and is subject to the reserved power of eminent domain, with all that is implied in that legal phrase.

Third. The conditions under which this land is held in private possession may be rightly varied from time to time under due process of law, with compensation for injury done when land is taken, and with due consideration given to admitted rights.

Hence it follows that any system of conveying land from the possession of one person to another which has been so badly administered as to raise a doubt as to who is entitled to hold it in possession, must of necessity be reformed by the state, which holds the only power to apply the remedy to the defects and which may therefore resume its control.

There are many persons who rightly object to state interference in the every-day business of life, but in this matter, if an indefeasible title is to be established, the state must intervene, and may or must resume control because it is the source of title. The state alone has the power to remove the uncertainties which hang over titles to vast areas of land and now prevent their occupancy and use, such clouds having been permitted to gather through the ignorance or carelessness, or in some instances through the fraud, of individuals.

The variable conditions on which land is now held in possession by individuals are as follows:

a. In respect to the burden of taxation.

b. In respect to sanitary provisions.

c. By rules for the prevention of injury to neighbors.

d. By regulations as to use, as under building acts and the like.

e. Under the provisions of general or special acts for taking the land for highways, railroads, or other purposes, consistently with the provisions of the laws, which laws may be changed from time to time.

There is, therefore, no absolute private ownership of land in this country.

Under these conditions of private possession, which may be varied from time to time according to the circumstances or the necessities of

the case, it is commonly held that every facility which can be rightly given, and every form of legislation which may be rightly adopted for promoting a wide distribution of land among the largest possible number of persons, conduce to the safety of the state as well as to the common welfare of the people.

To this end the whole influence of the savings-banks has been developed in New England and to a considerable extent in New York. The same object is also promoted by the organization of coöperative banks, so called. In Pennsylvania and in Maryland the distribution of land has been promoted in yet greater measure than in the Eastern States by the organization of building-societies, by sales on terminable ground rents, by title insurance and mortgage security companies, and in other ways. In other parts of the country building-societies, savings-banks, and other organizations are being rapidly established with the same object in view. But underneath, and in greater or less measure obstructing all these instrumentalities or agencies for promoting the division, sale, and productive use of large parcels of land, lie the growing complexity and uncertainty in documentary titles, often accompanied by heavy cost in conveyancing, and in very many cases by doubt as to the existing title to the land itself being a perfect one. Upon such matters only the state can take action.

The vast amount of litigation which has occurred in California in connection with Spanish grants of land will be recalled; and the present clouds resting upon the titles to very great areas of land in the mountain region of the Southern States may be cited as an example of the condition to which the present system of conveyance of land may bring a portion of the country which has been occupied for a long period, but which has been very sparsely settled by a class of people who have been in the habit of adjusting their own disputes as to metes and bounds with the rifle and the bowie-knife rather than by well-recorded conveyances.

This great evil must be overcome. How can it be done?

The same kind of cloud may rest upon some titles even in the most densely occupied sections, where the valuation of land is very high.

The danger of defects in titles is now being overcome in some measure by the organization of title insurance companies. But these are private corporations, and while they may reduce the expense of conveyancing, may give a well-guarded and well-guaranteed title to the buyer of estates on which it would be unsafe to expend capital without a guaranty of possession, yet private corporations can merely palliate an evil which is growing everywhere, and which is a very great existing evil in some of the

most valuable parts of the United States long since sparsely settled, but now being occupied and developed according to modern methods.

It will become an absolute necessity for the States of Virginia, Kentucky, Tennessee, Alabama, Georgia, and the Carolinas to clear the title to much of the land in the mountain region of the New South and on the Piedmont and Cumberland plateaus, in order that the vast deposits of minerals, the great wealth of timber, and the immense natural capacity of the soil may be put to productive use, and may be safely and surely developed.

Whatever method of land tenure may be established, no person whose judgment is of any value can doubt the necessity of making it so certain as to promote and not to prevent the land being put to its most productive use.

Even where the communal system of landholding still exists, of which the village communities in Russia are often cited as examples, the land is held in common, but only under such rules and regulations as will render the product secure to the individuals to whom its cultivation for the time being has been assigned by the commune.

The advocates of what is known as the "single tax" theory who have not become socialists sustain most fully the necessity of "legal ownership" of land and "peaceable possession" backed by the full power of the state. The private ownership which Mr. Henry George advocates is under conditions which may vary very much from the present conditions in the matter of taxation; but his proposed method of taxation is incapable of application unless, as he himself expresses his own views, the "legal ownership" of land and its "peaceable private possession" in distinct and separate parcels should be established and maintained by the state in exactly the same way that legal ownership and peaceable private possession are now assured.

Any doubt, uncertainty, or cloud upon the title to land which prevents the application of labor and capital to its development would be as inconsistent with the application of the single tax upon land valuation as it would be with the present method of obtaining a part of the public revenue by taxation upon land valuation; because no one will develop land either by applying to it the necessary cost of cultivation or of construction unless the title can be maintained in such a way as to assure a return upon the labor and capital expended. If the present taxes on land valuation are not paid by owners, it is sold to other private owners who will pay them. In this way the state already recovers the title to land and ressettles it.

Not a mile of railroad can be laid down unless the state sustains the right of way vested

in the corporation ; even if the state itself, acting as a corporation, should construct a railroad as towns and counties construct the highways, it must maintain its own title to the land taken for that specific use against its own citizens separately or collectively.

The success of the Torrens system has been so great in British Columbia as to lead to the organization of the Canada Land Law Amendment Association, to which many of the most prominent men in Canada belong, and at whose instance the registry of land titles may be extended throughout the dominion of Canada. In this country little attention has been yet given to this subject ; but in some places, notably in the city of New York, it early attracted attention, mainly among members of the legal profession, who have been grappling with the increasing difficulty in the conveyance of land for several years.

The agitation has resulted, however, in the passage of an act by the State of New York to provide for recording and indexing instruments affecting land in the city of New York according to the "Block System," so called, and also an act to provide for short forms of deeds and mortgages. These acts are now enforced. They simplify the present methods of registering deeds, and they remove many other special difficulties which have rendered titles doubtful and conveyancing costly. But these acts fall far short of the simplicity and effectiveness of the Torrens method. They appear to have been framed mainly with a view to remedying legal difficulties in the practice of the existing system of conveying rather than substituting indefeasibility of title through the intervention of the State ; they may therefore be considered only as preliminary steps to more effective measures.

The economic side of this question is the one which the writer desires to bring conspicuously into notice. His purpose is to call attention to the simple fact that in the practice of the English colonies *indefeasible and peaceable possession*

and occupancy of land have been assured at the minimum of cost and by the adoption of the simplest methods of dealing therein. The small premium collected by the state as an insurance fund for its protection has become a large sum in every colony, in many colonies never having been drawn upon. That single fact may perhaps be accounted conclusive against all technical objections.

In order to adapt this system to the conditions of the several States of this Union, it will be necessary to bear in mind that the Australian colonies have been organized without written constitutions ; hence it follows that many acts can be done by administrative authority which cannot be done in that way in this country. It is possible that in some States the application of this system might require slight changes in the written constitution. In Massachusetts it is probable that no constitutional amendment would be required, but that the whole system would be carried out under statute law creating courts of competent jurisdiction to deal with titles by adjudication, under formal notices of proceedings corresponding in many respects to those which are taken under the orders of the probate courts in dealing with land devised by will.

In a very large number of States in the Union proceedings may be had under orders of court which go very far toward clearing titles of which the deeds are registered, without requiring anything but a public or published notice to possible claimants who may not be within the State in which the land is, or within the actual jurisdiction of the court itself. A committee appointed by the legislature of Massachusetts is now (November, 1891) dealing with this matter. Doubtless before this article appears their report will have been rendered. It will contain the evidence given by many members of the Massachusetts bar in favor of the adoption of the system, together with *pro forma* acts carefully prepared to meet our present conditions.

Edward Atkinson.

SONG AND SINGER.

I SAW him once, the while he sat and
 played —
A stripling with a shock of yellow hair —
His own rare songs, in mirth or sorrow made,
 But tender all, and fair.

And as the years rolled by I saw him not,
But still his songs full many a time I sung,
And thought of him as one who has the lot
 To be forever young.

Until at last he stood before mine eyes
An age-bent man, who trembled o'er his staff,
My sight rebelled to see him in such guise,
 Ripe for his epitaph.

I grieved with grief that to a death belongs ;
How Time is stern I had forgot, in truth,
And how that men wax old, whereas their
 songs

Keep an immortal youth.

Richard E. Burton.

ORIGINAL PORTRAITS OF WASHINGTON,¹
INCLUDING HITHERTO UNPUBLISHED PORTRAITS OF GENERAL
AND MRS. WASHINGTON AND NELLY CUSTIS.



THE DE BREHAN MINIATURE OF WASHINGTON.
(ORIGINAL IN POSSESSION OF MRS. F. T. MOORHEAD.)

THE centennial celebration of the inauguration of Washington as the first President of the United States and the exhibition of personal memorials of him collected on that occasion, together with the several illustrated articles that have since appeared in THE CENTURY and other periodicals, have brought to light many interesting mementos of Washington and Mrs. Washington hitherto unknown except to the privileged few who were of the inner circle of the fortunate owners. The possessors of these invaluable relics are, however, ready to recognize that while the individual pieces remain their personal property, the interest in them and their enjoyment rightfully belong to the whole people.

To those previously brought out of their hiding and laid bare to the public eye can now be added several of no less importance belonging to Mrs. F. T. Moorhead, of Allegheny, Pennsylvania, who has inherited them in direct succession from Martha Dandridge, the widow of

¹ See previous illustrated articles of the same title by Mr. Hart in THE CENTURY for April, 1889, and May, 1890.—EDITOR.

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Daniel Parke Custis, who, January 6, 1759, became the wife of Colonel George Washington. As is well known, Mrs. Custis had two children, a daughter named for her mother, who died in 1773, when just budding into womanhood, and a son, John Parke Custis. The son married, when a mere youth, Eleanor, daughter of Benedict Calvert, a lineal descendant of Lord Baltimore, and dying while he was with his stepfather before Yorktown, left three daughters and one son. The two younger children, Eleanor and George Washington Parke Custis, were adopted by Washington, and the two elder, Eliza and Martha, became the wives respectively of Thomas Law and Thomas Peter. Mrs. Peter had three daughters, whom she named Columbia, America, and Britannia Wellington. America married Mr. Williams, and one of her daughters became the wife of Rear-Admiral John H. Upshur, whose daughter is Mrs. Moorhead, sixth in lineal descent from Martha Washington.

While all personal memorials of Washington are fraught with great interest, those that hand down a portrayal of his noble lineaments as they were revealed to the minds of the many artists who sought thus to immortalize themselves are without doubt the most important. With this article are given reproductions of three of these original portraits, each in profile, and taken at different periods. The earliest one, by the Marchioness de Brehan, is among the treasures belonging to Mrs. Moorhead, to whom we are indebted for the privilege of reproducing it, the exact size of the original, while the skill of the engraver has preserved its character with the utmost fidelity.

The Marchioness de Brehan was the sister of the Count de Moustier, who succeeded the Chevalier de Luserne as minister from France to this country. She was a woman of marked eccentricities, and was accomplished both with her pen and with her pencil, and in the autumn of 1788 accompanied her brother on a visit to Mount Vernon. While there she persuaded her host to give her a sitting “to complete a miniature profile which she had begun from memory, and which she had made exceedingly like the original,”—as Washington records in his diary, October 3.

On the same occasion she painted a profile miniature of Nelly Custis, then in her tenth year, which is particularly interesting from the



THE DE BREHAN MINIATURE OF NELLY CUSTIS.
(ORIGINAL IN POSSESSION OF MRS. F. T. MOORHEAD.)

thoughtful character of the features, quite unusual in a girl so young. The two profiles are framed back to back, with a gold band, as a medallion, and are painted upon ivory in monochrome, water-color, very light in treatment, upon a background originally dark blue, but changed by time to a chocolate brown. When the writer's article under the same title appeared in *THE CENTURY* for April, 1889, the whereabouts of this original, which was reputed to have been painted upon copper, was unknown, and its discovery is very gratifying.

Madame de Brehan is said to have made several replicas of her profile of Washington with more or less variation, in one of them the profile of Lafayette being accolated behind that of Washington. This last-mentioned belonged, in 1848, to the master of Arlington House. That she took one home with her to France when she returned the next year is assured

from the fact that Washington writes to her brother, the Count de Moustier, November 1, 1790, acknowledging the receipt of his "letters of the 11th of May and 12th of July last, together with the flattering mark of your and Madame de Brehan's regard which accompanied the former." This flattering mark of regard was some proof impressions from a copperplate of the profile engraved in Paris; and Washington emphasized the guinea stamp he had already given in his diary to the correctness of the likeness by presenting these proofs to several of his friends. One of them went to Mrs. Robert Morris with the autograph inscription: "The President's compliments accompany the enclosed to Mrs. Morris."

Among Mrs. Moorhead's mementos are a small silver cup used by Washington throughout the Revolutionary war as a wine-glass, with the Washington crest engraved upon it; a heart-shaped locket containing on one side the hair of Washington and Mrs. Washington and of her four grandchildren, with the cipher "W. C." (Washington-Custis) in gold, and on the other side the initial "S" with the hair of Mrs. Washington's daughter-in-law and several of her children by her second husband, Dr. David Stuart; also, a miniature of Mrs. Washington, by Field, similar to the one belonging to Mrs. Moorhead's great-aunt, Mrs. Britannia W. Kennon, reproduced in *THE CENTURY* for May, 1890. Mrs. Kennon's collection has been freely drawn from on a previous occasion, but we are permitted through her courtesy to give two illustrations of exceeding interest never before made public.

When Charles Willson Peale painted his first portrait of Washington, at Mount Vernon, in the spring of 1772, he painted a miniature of Mrs. Washington for her son, then a youth of eighteen, for which Washington, as his guardian, paid ten guineas, the receipt for which, dated May 30, 1772, in Washington's handwriting, signed by the artist, is still in existence. Mrs. Washington was at that time in her fortieth year, and allowing for the greater youthfulness always appearing in a miniature by reason of its delicacy and minuteness, I have no hesitation in placing the illustration at this period and the work as that of the elder Peale. I re-

*The Presidents Compliments
accompany the enclosed - to
M^r Morris*

AUTOGRAPH PRESENTATION OF THE DE BREHAN PICTURE.

cently had the privilege of examining critically this artistic and historic treasure, and the artist's signature is clearly found in the drawing, color, and general treatment. The eyes are grayish-blue and the hair dark-brown, slightly powdered in front. The dress is a delicate lilac, with rich white lace about the neck, fastened by a butterfly pin. A white lace veil, caught in the back of the hair with pearl ornaments, hangs over the right shoulder, and around the neck is a row of pearls.

The miniature, the size of the illustration, is as fresh as though it were just painted, and the artist's reputation could safely rest upon it alone. It is exquisitely set in gold, richly chased, as a pendant. With it is mounted a portrait in enamel of John Parke Custis, the son for whom it was originally painted. How interesting it would be to know that the guardian subsequently acquired the miniature painted for his ward, and that this is the identical one that George Washington Parke Custis tells us Washington wore around his neck through all the vicissitudes of his eventful career until his last days at Mount Vernon!

The reproduction of this early portrait of Martha Washington seems to be an appropriate occasion to refute the statement of Mr. Moncure D. Conway, in the introduction to his recently published volume entitled "George Washington and Mount Vernon," that the well-known Woolaston portrait of Martha Washington is not a portrait of Martha, the wife of George Washington, but of his sister Betty, who married Fielding Lewis. Mr. Conway says:

It is one of the many curiosities of Washington portraiture that the portrait of Betty Lewis at Marmion (probably by Woolaston) should be going about the world as that of Martha, General Washington's wife. There are portraits representing Martha Washington at all ages, and it appears inconceivable that any one could discover a resemblance between her and the portrait published as hers in Sparks (I., p. 106), in the "Republican Court," and even in the centennial CENTURY MAGAZINE for April, 1889. How this delusion originated one can hardly conjecture.

The only evidence adduced by Mr. Conway in support of his assertion is a copy of the print from Sparks's "Washington," with the following inscription written over it by Lewis W. Washington :

This engraving is taken from the portrait of Betty Washington, only sister of the General, who married Colonel Fielding Lewis. One of the original portraits is at Marmion, the residence of the late Daingerfield Lewis, of King George County, Virginia, one other at the residence of the late Lorenzo Lewis, of Clarke County, Virginia, and one in my possession.

Against these statements two pieces of evidence can be presented which seem to be unanswerable and conclusive. The portraits of Betty Lewis and her husband Fielding Lewis, named by Lewis W. Washington as being "at the residence of the late Lorenzo Lewis," were both exhibited in New York at the Washington Loan Collection, in April, 1889, and at Philadelphia in December, 1890, when they were sold by Birch's Sons to Mr. Charles Gunther of Chicago. On each of these occasions the writer critically examined the portrait of Mrs. Lewis, and in Philadelphia, in view of what Mr. Conway had written, paid especial attention to a comparison with the engraving of Martha Washington from Sparks. This com-



THE CHARLES WILLSON PEALE MINIATURE OF MRS. WASHINGTON.
(FROM THE ORIGINAL IN POSSESSION OF MRS. B. W. KENNON.)

parison showed satisfactorily that the engraving of Martha Washington from Sparks was *not* made from the portrait of Betty Lewis. The pose and the arrangement of the hair are very similar, but the crudely painted features, drapery, and points of detail are very different. The chief resemblance is in the handling, such as artists much more eminent than itinerant John Woolaston are not unapt to carry through their work. Particularly is this likely to be the case in portraits painted about the same time, and Martha Washington and Betty Lewis were probably limned together. As an illustration of the correctness of this remark many readers will recall how the portraits painted by Stuart about the time he was painting Washington are tintured with the General's characteristics. So much is this the case that Stuart's portraits of Thomas Willing and William Shippen are frequently taken for portraits of the Pater Patriæ, and that too not by the uninitiated.

This is the direct evidence on the sub-

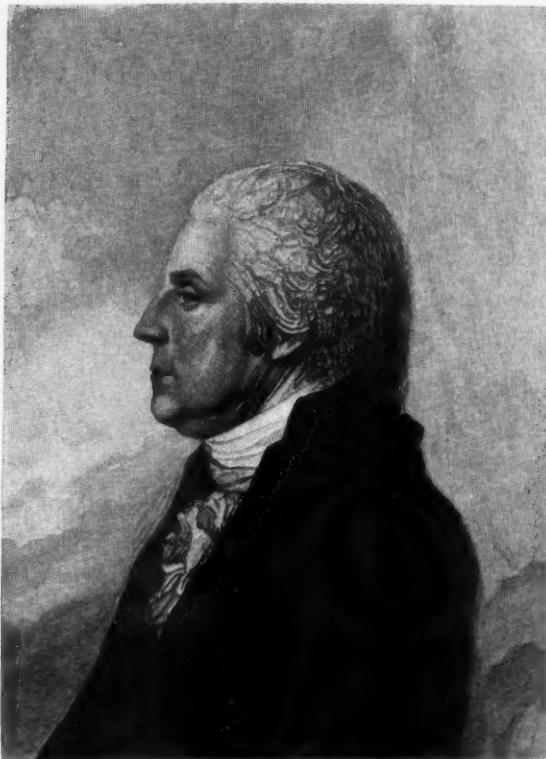


THE WASHINGTON PLAQUE BY CHAMPION. (FROM THE ORIGINAL IN POSSESSION OF MRS. B. W. KENNON.)

ject. The circumstantial evidence is possibly stronger.

The portrait of Martha Washington in Sparks's work was published in 1837. It is inscribed "From the original picture by Woolaston in the possession of G. W. P. Custis, Esq., Arlington House." At this time Lawrence Lewis, Washington's favorite nephew, the son of his sister Betty, was living at Arlington House with his wife, Eleanor Custis, the granddaughter of Martha Washington, by whom she had been reared. Is it to be believed that George Washington Parke Custis, Martha Washington's grandson, with whom he had lived from

his infancy to her death, would give Sparks a picture to publish as a portrait of his grandmother in his possession, when it was not? Or that Lawrence Lewis would allow his own mother's portrait to be engraved and published as a portrait of his aunt and his wife's grandmother? Or that he did not know his own mother's portrait? Or that Eleanor Custis Lewis would quietly stand by and allow her husband and brother to perpetrate such an ignoble fraud upon the nation? Such propositions are too absurd for serious consideration, yet they must be accepted, just as here stated, before Mr. Conway's iconoclasm can avail.



THE JAMES PEALE WATER-COLOR OF WASHINGTON.
(FROM THE ORIGINAL IN POSSESSION OF MR. CHARLES HENRY HART.)

When I visited Mrs. Kennon at her noble old mansion, "Tudor Place," Georgetown, D. C., I was irresistibly attracted by a deep oval frame in one corner of the drawing-room, and an inspection revealed the beautiful relief plaque in pure white porcelain which is shown on another page. I recognized it immediately as a companion to a similar plaque of Franklin, by Richard Champion, that had been sold, as once the property of Washington, in the Philadelphia sale of 1890 with the Lewis portraits. Another, that had belonged to Franklin himself, was exhibited by a descendant at the Washington Loan Collection, and a third is in the Edkins Museum at Bristol, England. This last Mr. Owen engraves in his "Two Centuries of Ceramic Art in Bristol," and says, "Champion's admiration of Franklin evidently impelled him to produce this elaborate work, which is the most important one that has been preserved to us." He then fixes 1778 as its date,—"the best period

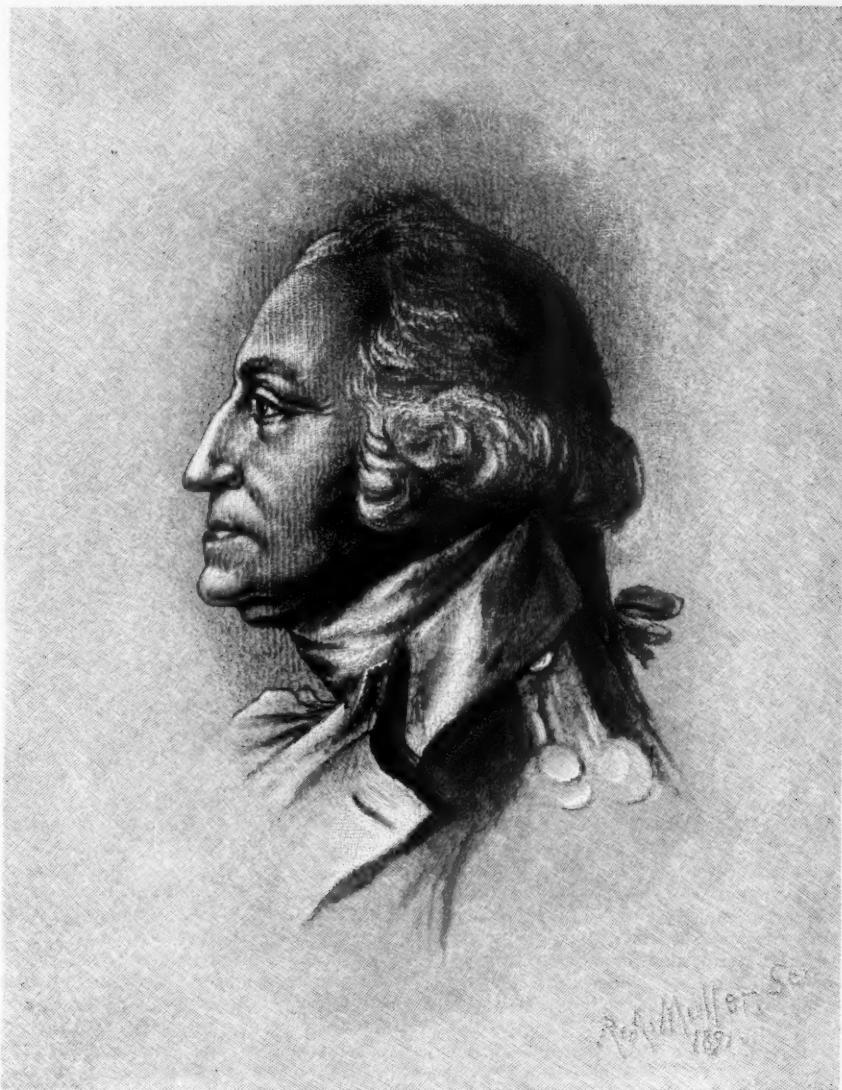
of the Bristol works." But the Washington plaque discovered by the writer is a much more important and elaborate work than the Franklin, and, as it is heretofore unknown and undescribed, it is probably unique.

The portrait is evidently after Peale's picture of 1777. Above the medallion are the emblems of the revolted colonies, liberty cap and rattlesnake, crowned by a coronet with thirteen points, for the thirteen original States, each point capped with a star. Beneath the emblem is the shield of the Washington arms, and around it the flags of the Congress are festooned. When we remember that this was made in England by an Englishman during the heat of the war, his daring and friendliness must elicit our homage and our admiration.¹

These plaques have a history as interesting as their art. They were the product of the famous china-factory in Bristol, England, started by Richard Champion in the year of the passing mother, after the death of my grandmother, Mrs. Washington, and later was given to me. I more than once asked her if she could tell who it represented, and she always said she could not."

¹ Mrs. Kennon writes to the editor concerning this plaque:

"All I can tell you about it is that it is a *relic from Mount Vernon*. It was brought from there by my



THE ST. MEMIN PORTRAIT OF WASHINGTON. (FROM A PHOTOGRAPH IN POSSESSION OF MR. CHARLES HENRY HART.)

sage of the Stamp Act. Champion was a firm friend of the colonies, and in the early days of the struggle with the mother country kept Robert Morris, who was his business correspondent in the middle colonies, fully and regularly advised of the movements and operations of the British Government. He doubtless made these plaques and presented them to Washington and Franklin as a mark of his esteem for their characters and of his deep interest in the

cause in which they were engaged; for the production of these elaborate and important pieces, eight and three quarter inches by seven and one eighth inches, could never have been undertaken for profit, the actual trade cost of the most simple ones being more than five pounds each. One of these minor flower-plaques is in the writer's cabinet. They are wonderful examples of the application of hard porcelain to works of great delicacy and beauty; for it will be un-

derstood that the entire design is in relief, the flowers being skilfully modeled with botanical accuracy.

Champion was one of the leaders in the movement caused by the political exigencies of the time, and was foremost in the strife in Bristol toward the close of 1769. He nominated Burke for Parliament at the famous election in November, 1774, which resulted in the return of Cruger and Burke, and the greatest work of his factory was the tea-service he made and presented to Mrs. Burke in commemoration of her husband's return as member for Bristol. The tea-pot of this service has been sold for £210, the milk-jug for £115, and a cup and saucer for £90, realizing the value of their weight in pure gold. The china-factory was not a financial success, and Champion abandoned it and left Bristol, November, 1781. The next spring Burke, upon being appointed paymaster-general by Lord Rockingham, named Champion as his deputy, and he held the office until the collapse of the ministry in 1784. Late in that year Champion sailed from England for South Carolina, where his brother-in-law, Caleb Lloyd, resided and had held the obnoxious office of stamp-distributer. He settled in Camden, became a planter, and was naturalized, and there he died October 7, 1791, the seventh anniversary of his sailing for America. The De Saussure family of South Carolina are his descendants, his only grandchild having married the only son of the eminent Chancellor De Saussure.

The remaining illustrations will be dismissed in a few words.

James Peale, a younger brother of Charles Willson Peale, was a very superior miniature-

painter, excelling his elder brother in this branch of the art. He painted Washington at least three times, and possibly four times, from life. The last sitting was in 1795, when Charles Willson, his young sons Raphael and Rembrandt, and his brother James all painted Washington at the same time. Three sittings were given, and the profile engraved for this article is the result of one of them. It is painted in water-color upon a small piece of paper, and only the face is finished; but for repose and placid, quiet dignity it is unequaled by any other portrait of Washington. The writer feels himself fortunate in the ownership of this charming drawing.

The last known original portrait of Washington also accompanies this article, and the outline of the profile must be true to life. It was made with the physionotrace at Philadelphia in November, 1798, by C. B. F. de St. Memin. The outline, the size of life, was produced upon pink drawing-paper and then finished in crayon. From this drawing a reduced profile of any desired size could be obtained by the use of the pantograph, and St. Memin's chief business was to reproduce profiles on copper, in a circle of two inches diameter, from which prints were made, and which were the *carte-de-visite* photographs of the end of the last century. The head of Washington he, however, reduced to a very much smaller size, and used the impressions for commemorative mourning-rings after Washington's death. The original drawing, excellently rendered in facsimile from a photograph, did belong to Mr. J. Carson Brevoort of Brooklyn, but since his death, a few years ago, no trace of it can be found.

Charles Henry Hart.

HEART OF HEARTS.

WILL you come to my heart of hearts? 'T is a path o'ergrown with rue,
Where rarely a footprint parts the mosses or dims the dew;
Yet there in the thorn tree cloven her nest hath a song-bird woven,
And deep in my heart of hearts the love-lights burn for you.

Would you wend from my heart of hearts? Shall I hold my guest my thrall?
Peace to the rose that starts wherever your footsteps fall!
But leaping in fitful flashes, the hearth-fire pants to ashes,
Shadow on bench and ingle, shadow on floor and wall.

All dark in my heart of hearts? Nay; we deemed the skies too far,
When we builded with rustic arts a roof for the storm to mar.
Only the wind at the latches, but in through thy broken thatches,
O shrine in my heart of hearts, gleams a glory-tinctured star.

Katharine Lee Bates.

ENGRAVED BY HENRY WOLF.

KILLING THE MOOSE.

PINTED BY GEORGE DE FOREST BRUSH. (SEE "OPEN LETTER.")



MONSIEUR ALCIBIADE.

BY THE AUTHOR OF "THE ANGLOMANIACS," ETC.

 TRANSPARENTLY gentle despot, who might have been led by the finger-tip of the youngest member of his class, was M. Alcibiade de St. Pierre, the Belhaven dancing-master, who gave also lessons in his native tongue. Nature had endowed him with a stationary scowl, his mustaches curled wildly, and he bore upon the brow a cicatrix that caused his pupils to liken him to the swashbuckler heroes of Dumas, Scott, or Cervantes. In outward appearance he was Aramis, Athos, Porthos, and D'Artagnan in one, with a dash of Le Balafré and Don Quixote thrown in.

Although this picturesque personage was a comparative newcomer in the town, the forebear of M. Alcibiade had arrived in America as pendant to an expedition supplying an interesting chapter of colonial history. Early in the spring of 1790 came into port at Belhaven a party of French immigrants engaged by Playfair, an English agent, and De Soissons, a nimble-tongued deceiver of his compatriots, in behalf of an enterprise organized in New England, and styled the Ohio Land Company, to people the wilderness near the mouth of the Kanawha River, beyond the western woods of Virginia. Among the travelers, whose weary hearts beat high with hope as they touched the shore of a fancied El Dorado, were men skilled in the exquisite handicrafts of a perfected civilization. Carvers there were of furniture like wooden lacework; beaters of fine brass fashioned into *rocaille* decorations; painters of shepherds piping to their fair, of Cupids turning somersaults in chains of roses; harpsichord-tuners; makers of gilded carriages; varnishers of panels that shone like mirrors; disciples of Boule and Martin; confectioners; perruquiers—and all, by a fine irony of fate, bound for a log-hut settlement, where the cry of savage beasts, or the war-whoop of the deadly Indian, was to be their nightly lullaby.

What eloquence had prevailed upon these hapless beings to believe they were to be the founders of a brave new Paris in the western hemisphere, their wily managers alone could tell. The first instalment of the five hundred Frenchmen said to have been thus deluded, numbering with their wives and children about sixty, after much waiting at Belhaven, their souls within them vexed by homesickness and hope deferred, split up into variously minded factions. Some pressed on, under charge of a long-delayed messenger of the company, to the

frontier; others put their all into a return passage to France; and a few elected to remain and try their fortunes in the little town which in those days had no end of ambitious projects for future greatness.

One of these prudent ones was a gay old bachelier, Alcibiade St. Pierre, self-styled "Hair-Dresser to the Court of France." He opened a snug little shop, where the gentry of town and country dropped in to have their periwinkles dressed and tied, to be shorn, perfumed, and shampooed, after the latest fashions in vogue before Alcibiade had set sail for the New World. He was sometimes sent for to bleed, or to apply leeches, and his *mille-fleurs* graces impressed the townspeople mightily. As his trade increased, Alcibiade was called on to lament the sad fortunes of his fellow immigrants. Most of those who became frontiersmen had succumbed to want and hardships, had met the horrors of Indian massacre, or had gone under in the collapse of an international speculation that carried down its promoters in the crash. From those who returned to France had come dolorous accounts of commotion in their beloved capital. Decidedly, thought M. Alcibiade, it were better to stagnate in Belhaven than be forced by a mob in Paris to dress the head of some former patron upon a pike!

Simple-minded, kindly, cheery as *le petit homme gris*, the little hair-dresser became a great favorite. A trig Scotch lassie, daughter of a settler, having fallen in love with him, the father consented to the match on condition that the intended son-in-law would renounce his French patronymic and translate himself into plain "A. Peters" upon his sign and in his official signature. And thus it came to pass that, instead of the stylish frontispiece so flattering to town pride, there arose above the shop door an announcement remaining there until its blue and gold were dimmed by time:

A. PETERS, LADIES' AND GENTS' HAIRDRESSER AND BARBER.

And, farther down:

WIGS AND TOUPETS.

DISEASES OF THE SCALP.

ONGUENTS AND SCENTS.

HAIR-POWDER, ROUGE, AND PATCHES.

ATTENDANCE AT HOUSE FOR BALLS AND ROUTS.

Also:

TEETH PULLED, AND LIVELY LEECHES
CONSTANTLY IN STOCK.

By the smiles and blushes of his buxom bride the gallant Alcibiade considered himself well paid for his self-sacrifice. Continuing to prosper, he gave hostages to hair-dressing in the shape of several little lads who spoke English with a broad Scotch burr, French not at all, and, later in life, seized with nostalgia, emigrated with his family to end his days on the soil that gave him birth.

Old Mr. Peters had become a figment of tradition in the town when his grandson, the present Alcibiade, appeared upon the scene. To the ancestral St. Pierre the new representative had prefixed a patrician "de," vaguely explained as having been resumed by the family on recovering possession of estates lost in the French Revolution. To plain people in Belhaven this prefix was interpreted to be an initial letter D, doing duty for a middle name not given. As for the estates, they must have been limited to the amount aptly if not elegantly designated by the French Commandant Marin in the conference with the Half-King of the Six Nations, recorded by Washington in 1753, when he said, "Child; you talk foolish; there is not so much land as the black of my nail yours."

When first arrived in Belhaven, the poor Frenchman was indeed in a pitiable plight. The attention of the town was called to him by certain readings and recitations in his own language, advertised to be given in Lafayette Hall.

Gay Berkeley, who, with her maiden aunt Penelope, had gone into Mrs. Dibble's shop to purchase pens and writing-paper, picked up from the counter a document in manuscript that excited her amused curiosity. It was apparently a program, written on foolscap in a fine copperplate hand, and expressed in a queer French-English that would have been a credit to the manual known to fame as the "Portuguese Grammar and Guide to Polite Conversation."*

On my arrival from the France, me Alcibiade de St. Pierre, Chevalier of the Legion of Honor and ex-artist of the theaters of Paris, do make hurry to throw myself at the feet of illustrious citizens of Belhaven, with a presentment special of selections from the immortal Racine et Corneille, such presentment to have place Hall Lafayette, the Monday evening to follow. Receive, ladies and gentlemen, my distinguished homages and impressed salutations your very humble serviteur.

"What in the world is this, Mrs. Dibble?" asked the young lady, with dimpling cheeks.

"Indeed, Miss Gay, I told the Chevalier that it would n't be long catchin' the eye o' my best customers," responded Mrs. Dibble,

complacently. "I helped him out a bit with the words he did n't know. Dear heart, if it was n't only but for the handwritin', as good as Mr. Johnson's nephew that was put in State's prison for forgery, pore fellow, he that used to practise here with fine nibs an' broad nibs, writin' cards — spread eagles with your name in curlicues comin' out o' their beaks—an' true-lovers' knots an' doves, if it was a new-married pair. Miss Penelope, I 'm ashamed to say I 'm clean out o' quills; but old Farmer Berry up at the cross-roads, the only one I can trust to pick the geese properly, 'll bring me a new lot to-morrow. Miss Gay, now, she's new school, 'n uses steel — sand, ma'am? Yes; of course. The usual quantity? Here's sweet note-paper, Miss Gay, just received from Baltimore, the tip o' the mode, they say — pale pink an' skim-milk blue. Plain white, did you say, miss? Yes; I 've some cream-laid, like you 've always used befo'. If you 've nothin' better to do, ladies, 't would be a charity to that pore Mounseer to patronize his performance a Monday night. If it was only for old times' sake, Miss Penelope, ma'am; many's the head he 's dressed—I mean his grandfather's dressed—for your fam'ly. Yes; old Mr. Peters's grandson, as I 'm alive, ma'am, an' the entertainment most genteel. Selections from Corneel an' Raycine; fifty cents for adults, twenty-five for children, an' a special reduction for ladies' schools. I thought there'd be a chance to get the young gentlemen from Mr. Penhallow's Academy; but the Chevalier kinder shriveled up at the mention o' boys, an' said 't was too hard to keep up the true dignity o' the drama when they was present — Lord knows, since I took to keepin' sweet stuff in t' other winder, I 'm up to the ways o' boys. If it's only a penny horse-cake — comin' back as bold as brass, with the hind legs eat off, declarin' they 's found a dead fly instead o' a currant for the eye, an' wantin' their money or another cake —"

"Do take some tickets, Aunt Pen," pleaded Gay.

"You know my sister does not approve of anything theatrical, my love," whispered Aunt Penelope. "Most of our church-members think with her. To be sure dear mama used often to tell us of the time when General Washington and his lady, and Miss and Master Custis, drove upto stop two nights at grandpapa's, expressly to attend 'The Tragedy of Douglas,' by Mr. Home, and a play called 'The Inconstant; or, The Way to Win Him.' Mama saw all the entertainments of the kind, I believe. It was thought of differently in those days."

"Doctor Falconer," ventured Gay, mentioning an eminent divine, "quoted, when he last drank tea with us, a passage from Racine. And

these are only recitations, auntie, no acting or costumes."

"Oh, in that case," said Aunt Penelope, taking out her purse, "you may give me four tickets, Mrs. Dibble, and you may invite two members of your French class, child. Seats in the second row, if you please, Mrs. Dibble. In a thing of this kind it is well to be near enough to study the expression of the performer's face; and one likes to forget the crowd when it's poetry. I'm sure sister Finetta will be pleased to hear about old Mr. Peters's grandson."

Lafayette Hall was a dingy, ill-lighted room over the second floor of the building in which Mrs. Dibble kept her shop. To the young people it was associated with the intermittent delights of performances by trained dogs and canaries; by Blind Tom, a negro pianist who could repeat every air suggested to him by the audience, and play better with his hands behind him than most of his hearers in the natural attitude; by the tuneful Hutchinson family, who stood in a row and warbled; by jugglers always interesting, and returned missionaries less alluring to the young; of May exhibitions of female seminaries, whereat the pupils in book-muslin with arbor-vita wreaths recited before applauding parents poems in honor of their queen, and were afterward regaled with lemonade and cake. It was there that Gay, as first lady-in-waiting, had once retired behind the queen's throne in tears, because her majesty had not scrupled to twit her with wearing one of Aunt Pen's muslins "made over"—which was too true.

Even now Gay could not divest herself of the exhilaration produced by the sight of that green baize curtain and the oil-lamps serving as footlights. When, on the evening of the Chevalier's *début*, she came into the hall, she nodded on every side to her friends, with a feeling that this was life. Mrs. Dibble, whose person was attired in grass-green *mousseline de laine*, with a wide collar of dotted net, trimmed with cotton lace, took tickets at the door; and in a conspicuously good seat sat Viney Piper, the little day-dressmaker, whose passion for the drama led her to patronize every respectable show that came to town. Viney had arrived upon the opening of the doors at six o'clock, and the performance was advertised to begin at half-past seven. She was an odd-looking, albino sort of creature, with pinkish eyes and eyelids, pale flaxen hair, and a hook-nose much to one side of her face. The Chevalier, entering the hall, had caught sight of her on his way to the rear of the stage, and forthwith executed a sweeping bow that Viney thought the perfection of foreign elegance.

When the hall was fairly filled, and the shuffling of feet announced the right degree

of impatience on the part of the audience, the curtain, pulled up by the performer himself, rose upon a stage empty save for a small pine table displaying a white china water-pitcher and a goblet. M. Alcibiade, wearing a suit of rusty black, with a scarlet satin stock and white kid gloves, an order in his button-hole, his hair fiercely ruffled, and his eyes gleaming at some foe unknown, holding a dinner-knife in his clenched hand, stalked on the scene. At this alarming apparition a little girl sitting by her mama burst into tears, and had to be consoled with gum-drops from the parental pocket, interspersed with audible assurances that the gentleman meant no harm. Opening his lips, Alcibiade poured forth a cataract of words, of which the most advanced French scholars in Miss Meechin's senior class could make neither head nor tail. He raved, he roared, he ranted; then seizing a goblet from the table, half-filled it with water, and, holding the dagger in his other hand, advanced to the footlights calling on Heaven to end his woes. At last, drinking the contents of the poisoned cup, he threw away the dinner-knife, and fell with a gurgling groan and a crash that made the lamps rattle in the chandelier. This, by agreement with Mrs. Dibble, was the signal for that worthy lady to hurry behind the scenes and let fall the curtain on the direful sight; but she, unfortunately, stood like a stock, averring afterward that her blood was that cruddled with awr she could n't 'a' budged a mite! Next, M. Alcibiade, coming slowly back to life, sat up to confront the audience with a smile of absolute fatuity; then scrambling to his feet, bowed, kissed his hand, and, going off, let the green baize descend on act the first.

It was long since Belhaven had enjoyed such a merry spectacle. The school-girls leading off with infectious giggles, every bench caught the contagion, and only Viney Piper, mopping real tears from her eyes, announced herself a connoisseur of true art.

The rest of the program, although less explosive, met with hysterically suppressed mirth. Before its close, indeed, the audience had filtered slowly from the hall, leaving only the faithful Viney and Mrs. Dibble, the newspaper-carrier (who was stone-deaf), a scrub-woman with her baby in arms, and a few citizens who exacted their money's worth.

It was evident that provincial taste had not been educated to the dramatic standard of old Mr. Peters's grandson. Alcibiade, failing in other occupations, sank from poverty to want. One day when Miss Viney Piper, arriving at the Berkeleys' house in Princess Royal street, had established herself in the sewing-room, the ladies in submissive attitudes before her, the

little dressmaker could hardly wait to dispose of business before introducing the subject near her heart.

"Just keep on running up them skirt-widths, Miss Gay; an' Miss Penelope, ma'am, you could be goferin' that sleeve while I get the body ready to try on," she said, marshaling her forces like a general in command. "Did you hear the news—that old Mr. Peters's grandson ain't expected to live the day out? Fairly starved, I reckon, 'fore he'd let Mrs. Dibble know, an' he sleepin' in a hole of an attic at the Drovers' Hotel—kinder low fever, nothin' catchin', the doctor says, but nothin' to bring him up again. Such a beautiful genius he is, ma'am, an' a temper like a child, for all he looks so fierce."

"Starving! What do you mean, Viney?" said Miss Penelope, excitedly. "Go, Gay, fetch me my bonnet and mantilla, and help Susan to pack a basket with somethings. How comes it that nobody knew?"

"It's all right for the present, Miss Penelope, ma'am," said Viney, blushing. "That's what's kep' me a little late this mornin'. I took up a few trifles, an' Mrs. Dibble she's got somebody to mind the store, and is to stay with him all day. But if you'd let Peggy put on a chicken to boil down for jelly, it would n't be wasted if—" here she swallowed once or twice and stabbed her pincushion—"if the pore Mounseer can't make no use of it."

The "pore Mounseer," however, surviving the day under Mrs. Dibble's kindly care, and finding no lack of nourishment during the days that followed, was, with the assistance of a subscription among some charitable people, transferred in the course of a week to a spare room let to single gentlemen by Mrs. Piper, Viney's mother, which by happy accident had been recently vacated.

The Pipers lived in one of the small frame-houses built to open directly upon the moss-encircled bricks set diagonally in the ancient sidewalk of a modest street. Their door-stone of white marble was accounted in the neighborhood a badge of distinguishing elegance, as was also a small brass oval serving as a bell-pull, when most people used knockers, or "knuckles," the gossips would aver. The late Mr. Piper had been a seafaring man, and had risen to be first mate of the brig *Polly and Nancy*, when, on a return voyage from Cadiz with a cargo of fruit, salt, and wines, bound for Belhaven port, he was swept overboard in a hurricane and lost.

The best room of the little house, into which one stepped out of the street direct, was a sort of marine museum like a chill grotto, suggesting a mermaid's clutch or the grip of shark's teeth. Here Mrs. Piper did not care to raise

the shades, except at one side window permanently darkened by a trellis overgrown with a vine of the Isabella grape. The children of Miss Viney's customers liked to be sent to make appointments with that busy little body; for Mrs. Piper, too deaf to answer questions, and droning her explanations in a sing-song voice, always showed them around the museum with great affability. The old woman usually sat in a clean kitchen opening upon the back yard, where, under the damson-trees and amid the hundred-leaf rose-bushes, were constructed little winding walks, edged with shells, and leading up to seats made of a whale's backbone.

After the Chevalier de St. Pierre had succeeded in obtaining classes in dancing and deportment that enabled him to live, and had settled down to become a fixture in the widow's house, his spare moments were given to cultivating flowers in the beds between the shell-bordered walks. Everything grows easily in soft Belhaven air, and soon the Pipers' garden became a proverb in the place. Mrs. Piper's only complaint against her lodger was couched in the expressive phrase, "The Lord knows how often he empties his water-jug"; but even a distaste for ablution yielded in time to the insistent cleanliness of his surroundings. Sometimes, to cheer "Madame Pipère" in her solitude, Alcibiade would descend to the kitchen and proffer to the old woman, knitting in her sunny window-seat, "a leetle divertissement from ze classique drama of *La France*." He had a *vrai* inspiration for the stage, St. Pierre confessed to Viney, and but for political intrigue would be now in his rightful place on the boards of the Théâtre Français. These exhibitions, repeating the celebrated performance of his début at Lafayette Hall, were as deeply and religiously admired by the widow as by her daughter.

One day occurred a variant upon the usual exercise. Alcibiade had always treated poor lank Viney as if she were one of the great ladies of the court in bondage to his ancestor's curling-tongs; but she was unprepared for the scene that greeted her return when, having stepped down to Slater's for a spool of "forty" cotton, she found the Chevalier, in his best black suit, wearing white kid gloves, and holding a bouquet in one hand, kneeling at Mrs. Piper's feet and kissing her finger-tips with reverence.

"I ask you, madame, for the hand of your beautiful and admirable child in marriage," was what Viney and the whole neighborhood within ear-shot heard him roar.

Viney, with all her good qualities, was a bit of a virago. The absurdity of the proceeding, and the sense that her adjacent acquaintances were laughing at her affairs, flooded her thin skin with blushes, and her soul with anger. While Mrs. Piper, scared out of her wits, was

about to open her lips for a feeble screech, Viney whisked into the kitchen, snatched Alcibiade's bouquet, threw it away into a parsley-bed, and boxed the professor's ears.

" You 'd better believe I give 'im a piece of my mind," she narrated afterward to Miss Penelope and Gay. " But, bless you, he cried so pitiful, an' begged our pardons so kind o' honorable, I had not the heart to turn him out o' the house like I threatened to. Them white kids, Miss Gay! An' at his age, an' mine! The notion's too cryin' ridic'lous." And she snapped a seam into the beak of her sewing-bird with vicious emphasis, giving at the same time a sidelong glance into the mirror, and a complacent toss of the head.

No one could be long in the Chevalier's company without discovering that a very dove of gentleness and affectionate gratitude dwelt in his gaunt envelop of flesh. So, restraining his pretensions as a lover, he meekly accepted Miss Viney's fiat, and went about the town looking as warlike as ever, but inwardly carrying a broken spirit. One of his dancing-class encountered him crossing a windy common in the suburbs of the town pursued by a flock of geese, from whose sibilant obloquy he was making nervous efforts to escape; and it was known to the boys and girls that the Chevalier was always alarmed by the apparition of a spider or a cow. No wonder the young people decided that Alcibiade had been reduced to pulp by Miss Viney's vigorous rejection of his suit. The little dressmaker's peppery temper was familiar to the offspring of her customers, from whom she would stand no trifling around her temporary throne in their respective households.

When the war between the States broke out, Viney seemed to have found her destined vocation as a red-hot secessionist. Not very clear, fundamentally, as to what she resented on the part of the national authorities at the other end of the Long Bridge, some eight miles away, she threw out her rebel banner on the wall, sang "Dixie" in her shrill treble, declaimed, protested, and, in short, kept everybody in her vicinity in a boiling state of excitement about the condition of political affairs. When the Belhaven regiments went on to Richmond or Manassas, Viney stitched her fingers to the bone making shirts for them, while Mrs. Piper knit socks of gray wool as fast as her needles could fly. They also turned out a number of the white linen havelocks and gaiters adopted by one of the companies and afterward discarded as a too shining mark for opposing riflemen. Viney trotted to the train to see the boys go off, and stood there in the crowd, cheering and waving with the best. As she watched the last car recede on two gleaming lines of steel, its rear platform thronged with gesticulating

shapes in gray, she felt her heart inflate and her stature grow with a yearning desire to go out and fight or do something helpful in their ranks.

When she turned to walk home that afternoon of balmy spring, there, haunting her footsteps, was the faithful Alcibiade. He looked into her watery blue eyes as if imploring to be allowed to speak his sympathy.

" Have it out, an' be done with it, for gracious sake," said Viney, pettishly. His smooth-finished black coat, his waxed mustache, the bunch of jonquils in his buttonhole, fretted her beyond endurance.

" Those tears for the brave they are a benison," said Alcibiade, sentimentally. " Who would not be inspired by them to deeds of glory?"

" It 's not the boys I 'm cryin' for," said Viney. " It 's us that are left behind and have got to put our necks under the vandal's heel." That "vandal" afforded a famous outlet for secession wrath in those days; it may be doubted whether the war could have been carried on without him. " Oh! if 't worn't for mother, d' ye think I 'd stay? I 'd go to-morrow, an' carry a water-pail to fill canteens; or I 'd nurse in hospitals — or anything."

" It is a noble, a sacred cause," replied the Chevalier, looking down at the toe of his varnished boot to avoid the needle-point of her eye. " You will permit me, *chère* Mees Viney, to mingle with yours my prayers for its success? When I think that this Virginia that has sheltered two exiles of our house — my ancestor, who came here to find a home, a bride, a thousand friends, a thousand tendernesses; and me, less fortunate, but ever grateful for the hour that brought you, an angel of goodness, to my rescue in distress — "

" That 's neither here nor there," interrupted Viney, cruelly. " Besides, it was as much Mrs. Dibble as me, anyway."

" But you will not deny me the privilege of sharing your patriotic anxiety for the welfare of the troops? You will allow my heart to beat in unison with yours?"

" Nobody ain't a-preventin' your heart doin' what it pleases," said the uncompromising lady of his love, now fairly out of patience with his phrasing. " But it 's deeds, not words, that show what a man 's worth nowadays. When I think what a fool I used to be 'bout fine talkin', an' how I believed if a feller spread himself in speechifyin' he was boun' to be a hero, it makes me fairly sick. I 'd rather have the little finger o' one o' them privates that 's in the train we hear whistlin' up yonder — bless their souls! — than the whole body of a dandy Jim that stays at home. But, law me! I 'm foolish talkin' such stuff to you."

Foolish and manifestly unjust, we will agree with her. But Viney's seed was not sown upon barren soil, as we shall see. From that date the Chevalier's mustaches lost their jaunty curl, his eye its martial fire. The dancing-school declining with the growth of military rule in town, his occupation was chiefly to walk along the streets picking up such rumors and crumbs of gossip about the movements of either army as might bring a spark of interest into the orbs of Miss Viney on his return to the widow's house.

The days of June wore on, and Viney's temper, taxed by anxiety about the issue of the approaching battle, became more tart, her taunts more frequent; but the Chevalier suddenly seemed to take heart and to walk with a firmer tread. One night he did not return to sleep in his tidy bedroom, and Viney, going into it, found a letter addressed to herself upon the table.

Adieu, my benefactress, beautiful inspiration of my unworthy life [the Chevalier had written], I fly to win the approval of your noble tears or to sleep eternally upon the soldier's bloody couch. To you, in this supreme moment, I dare avow a truth for which my manhood does not blush—that I have, until now, held back because of a weakness of temperament that made my soul blanch at thought of the soldier's baptism of fire. Now that the struggle is over, I am resolved to ally myself with the armies of the South, that has given me a shelter, and given me you, adored one, whose hand I embrace in spirit, with that of your respected mother; to whom, and to you, the salutations the most distinguished of your all-devoted

ALCIBIADE.

"The land o' Dixie!" cried out Miss Viney. "If that pore creeter 's in earnest I 'll never draw a free breath till he gets back."

M. Alcibiade was very much in earnest. A few days later Miss Viney had a visit from a lawyer who informed her that the Frenchman, before going through the lines to enlist in the Southern army, had caused to be drawn up a will bequeathing to her some hundreds of dollars which by frugality and care he had saved during his residence beneath their roof. Viney had an honest crying fit after the lawyer left, and, putting on her bonnet, sped down to Princess Royal street to take counsel with the Misses Berkeley as to the best way of tracing the absent one and conveying to him some token of her appreciation and regard. Those ladies could give her little hope. They promised, however, to write recommending Alcibiade to the care and kind offices of their friends in Belhaven regiments, should the Frenchman find his way among his old acquaintances and pupils; and with this Viney was forced to be content.

After Bull Run, Manassas; and after Manassas, a breathing-space in which North and South held themselves in check, dreading to pierce the veil shadowing the future of the conflict. In the dusk of a warm summer evening, when Viney had carried out a bucket of fresh water with which to drench and cool the already clean bit of pavement appertaining to their front door, a country wagon with a hooded canopy of canvas, drawn by mules and driven by a long-legged rustic in a linen duster, wearing a broad straw hat, pulled up beside the curb. Inside was heard the cackle of resentful fowls. The driver, carrying a basket of eggs, leaned over and accosted her:

"No; I don't want anything to-day, I 'm 'bliged to ye," began Viney—and broke down with a gasp. "Good Lord! It's you, Mounseer?"

"It is, charming Mees Viney," said the pretended farmer, with a warm grasp of her hand. "Hush! Not a word that the neighbors can overhear."

"But I don't understand; you are not in the army, after all?"

"There are ways and ways of being a soldier," he went on in a low whisper. "Believe me when I tell you I have kept my word. Take a few of these eggs and count them into a dish or basket—yes; your apron will do—that I may go on talking without fear. Then I will find it troublesome to gif you change."

"But where in the land did you come from?" she asked, burning with curiosity.

"*Ma foi*, from a Union camp, to-day, where the soldiers have left me little to sell to you, *belle dame*. To-morrow at daybreak—for I shall find fresh mules outside the town—I present myself to a general whom a Frenchman is proud to serve—ze peerless Beauregard."

"You are—you are—" she began, her face blanched, her teeth chattering.

"Never mind what I am; let me but look once more upon that face of which I so often dream, and then I must hasten away."

"Oh, go, go!" she pleaded. "It was perfect madness for you to come here. Not ten minutes ago a patrol of Yankee soldiers walked down this street."

"Bah!" he said, with a shrug, "have I not enjoyed the company of their compatriots all day? But for your sake I will go. Have no fear, *belle* Viney; you will hear from me again."

Was this the timid, the cringing Alcibiade, Viney asked herself all through a sleepless night. Many and many a night thereafter she was destined to toss and wonder as to his fate. In the autumn she had a line from him, left by a wood-seller from far up in the interior of the county; he was safe and well, and still in the service of the employer who retained him when

he had seen her last; and he was always her devoted and faithful A. de St. P.

After that a blank of long years extending to the close of the dreadful war.

Viney had given him up for dead, of course; had put on mourning and made her mother do the same; and everybody said how strange it was that Viney Piper should make all that fuss about a man that just walked out of her house one day and gave her the "go-by" without a word. She could never persuade herself to touch a penny of his bequest, but had consulted her confidante, Miss Penelope, about the propriety of using it for a fine monument to be erected to his memory in the Belhaven graveyard, when the correspondent of a New York paper, mousing around the old Virginia town for material, announced to the public that he had discovered the identity of the famous and daring rebel scout, Peters, who, after countless adventures, and escaping the noose a dozen times by a miracle, had disappeared from sight. This dashing character, it was confidently stated, was none other than a so-called French dancing-master, known at the time as St. Pierre, who had lived in Belhaven pursuing his harmless occupation for some years prior to the war.

In the comments of the press upon this announcement more than one reminiscence of Peters was soon given currency; and presently the editor of a journal in an obscure western town wrote to the New York paper that Peters, alias St. Pierre, alias no-one-knew-what beside, was then actually residing in the family of a charitable Frenchman of his locality, having survived a wound and an imprisonment that had left him helpless upon his benefactor's hands.

When this was published Viney's friends saw the little woman smile. Then she cried, then she fell down on her knees and thanked God

for his mercy, and lastly she packed her little trunk, and set off for Illinois.

"You have come to me, and I was too proud to bring the remains of me to you, *belle* Viney!" said Alcibiade, when she arrived. "It is enough for me to see you, to forget that prison where I laid so long."

Poor little, homely Viney was utterly overcome. She took his thin hand, with the claw-like fingers, and, stooping down, kissed it and cried over it.

"Lord, lay not this sin to my door!" she said, gazing on the wreck before her with a sudden, bitter self-reproach. "O Mounseer, tell me that you forgive me for what I drove you to, for I'll never forgive myself."

"Listen to me, Mees Viney," the Frenchman said, looking about him anxiously to see that no one overheard. "You have done for me what a thousand times, in peril of my neck, in cold, in hunger, in a prison cell, I have thanked you for—you have made of me a man! *Bon Dieu*, a man!"

Viney brought him back to the little chamber beneath the roof of Mrs. Piper's house, where the two women nursed him into comparative comfort; health he might never fully know again. In summer-time, his chair rolled out upon one of the shell-bordered walks, he would remain gazing in absolute content upon Viney sitting on the door-step with her work. In his eyes she was always beautiful; and when, with many misgivings, she one day consented to let Dr. Falconer, with Miss Penelope and Gay as witnesses, step into the grotto of marine curiosities and make her Madame Alcibiade, the ex-spy straightened up with something of his old dancing-master's grace.

"*Tiens!* I have won the flower of womanhood," he said. And so he thought to the last.

Constance Cary Harrison.

A TIRED HEART.

SOMETIMES I cry: "Oh, give my tired heart rest!
It is so weary of the throb and pain
Of loving, weary of the stress and strain
Of care for others. Pluck love from it, lest
It faint beneath the burden on it pressed;
As one takes work away from hand or brain,
Saying, 'Rest a little, then work on again.'
So take love from this thing within my breast;
Give it from all its struggle glad release;
Calm its wild beats; and soothe its restless cry!"
Then to myself my tired heart makes reply:
"O foolish one, should all my loving cease,
Thou wouldest have rest as clods and stones have peace,
Lifeless, inert — for without love I die!"

Bessie Chandler.

THE NAULAHKA.¹

A STORY OF WEST AND EAST.

BY RUDYARD KIPLING AND WOLCOTT BAILESTIER.

IX. (Continued.)



ATE saw little of Tarvin during the next few days. Mrs. Estes made her known at the palace, and she had plenty to occupy her mind and heart. There she stepped bewilderedly into a land where it was always twilight—a labyrinth of passages, courtyards, stairs, and hidden ways, all overflowing with veiled women, who peered at her and laughed behind her back, or childishly examined her dress, her helmet, and her gloves. It seemed impossible that she should ever know the smallest part of the vast warren, or distinguish one pale face from another in the gloom, as the women led her through long lines of lonely chambers where the wind sighed alone under the glittering ceilings, to hanging gardens two hundred feet above the level of the ground, but still jealously guarded by high walls, and down again, by interminable stairways, from the glare and the blue of the flat roofs to silent subterranean chambers hewn against the heat of the summer sixty feet into the heart of the living rock. At every step she found women and children, and yet more women and children. The palace was reported to hold within its walls four thousand living, and no man knew how many buried, dead.

There were many women,—how many she did not know,—worked upon by intrigues she could not comprehend, who refused her ministrations absolutely. They were not ill, they said, and the touch of the white woman meant pollution. Others there were who thrust their children before her and bade her bring color and strength back to these pale buds born in the darkness; and terrible, fierce-eyed girls who leaped upon her out of the dark, overwhelming her with passionate complaints that she did not and dared not understand. Monstrous and obscene pictures glared at her from the walls of the little rooms, and the images of shameless gods mocked her from their greasy niches above the doorways. The heat and the smell of cooking, faint fumes of incense, and the indescribable taint of overcrowded humanity,

caught her by the throat. But what she heard and what she guessed sickened her more than any visible horror. Plainly it was one thing to be stirred to generous action by a vivid recital of the state of the women of India, another to face the unutterable fact in the isolation of the women's apartments of the palace of Rhatore.

Tarvin meanwhile was going about spying out the land on a system which he had contrived for himself. It was conducted on the principle of exhaustion of the possibilities in the order of their importance—every movement which he made having the direst, though not always the most obvious, relation to the Naulahka.

He was free to come and go through the royal gardens, where innumerable and very seldom paid gardeners fought with water-skin and well-wheel against the destroying heat of the desert. He was welcomed in the Maharajah's stables, where eight hundred horses were littered down nightly, and was allowed to watch them go out for their morning exercise, four hundred at a time, in a whirlwind of dust. In the outer courts of the palace it was open to him to come and go as he chose—to watch the toilets of the elephants when the Maharajah went out in state, to laugh with the quarter-guard, and to unearth dragon-headed, snake-throated pieces of artillery, invented by native artificers, who, here in the East, had dreamed of the *mitrailleuse*. But Kate could go where he was forbidden to venture. He knew the life of a white woman to be as safe in Rhatore as in Topaz; but on the first day she disappeared, untroubled and unquestioning, behind the darkness of the veiled door leading to the apartments of the women of the palace, he found his hand going instinctively to the butt of his revolver.

The Maharajah was an excellent friend, and no bad hand at pachisi; but as Tarvin sat opposite him, half an hour later, he reflected that he should not recommend the Maharajah's life for insurance if anything happened to his love while she remained in those mysterious chambers from which the only sign that came to the outer world was a ceaseless whispering and rustling. When Kate came out, the little Maharaj Kunwar clinging to her hand, her face was

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white and drawn, and her eyes full of indignant tears. She had seen.

Tarvin hastened to her side, but she put him from her with the imperious gesture that women know in deep moments, and fled to Mrs. Estes.

Tarvin felt himself for the moment rudely thrust out of her life. The Maharaj Kunwar found him that evening pacing up and down the veranda of the rest-house, almost sorry that he had not shot the Maharajah for bringing that look into Kate's eyes. With deep-drawn breath he thanked his God that he was there to watch and defend, and, if need were, to carry off, at the last, by force. With a shudder he fancied her here alone, save for the distant care of Mrs. Estes.

"I have brought this for Kate," said the child, descending from his carriage cautiously, with a parcel that filled both his arms. "Come with me there."

Nothing loath, Tarvin came, and they drove over to the house of the missionary.

"All the people in my palace," said the child as they went, "say that she's your Kate."

"I'm glad they know that much," muttered Tarvin to himself, savagely. "What's this you have got for her?" he asked the Maharaj aloud, laying his hand on the parcel.

"It is from my mother, the Queen—the real Queen, you know, because I am the Prince. There is a message, too, that I must not tell." He began to whisper, childlike, to himself, to keep the message in mind.

Kate was in the veranda when they arrived, and her face brightened a little at sight of the child.

"Tell my guard to stand back out of the garden. Go, and wait in the road."

The carriage and troopers withdrew. The child, still holding Tarvin's hand, held out the parcel to Kate.

"It is from my mother," he said. "You have seen her. This man need not go. He is"—he hesitated a little—"of your heart, is he not? Your speech is his speech."

Kate flushed, but did not attempt to set the child right. What could she say?

"And I am to tell this," he continued, "first before everything, till you quite understand." He spoke hesitatingly, translating out of his own vernacular as he went on, and drawing himself to his full height, as he cleared the cluster of emeralds from his brow. "My mother, the Queen,—the real Queen,—says, 'I was three months at this work. It is for you, because I have seen your face. That which has been made may be unraveled against our will, and a gipsy's hands are always picking. For the love of the gods look to it that a gipsy unravels nothing that I have made, for it is my life and soul to me. Protect this

work of mine that comes from me—a cloth nine years upon the loom.' I know more English than my mother," said the child, dropping into his ordinary speech.

Kate opened the parcel, and unrolled a crude yellow and black comforter, with a violent crimson fringe, clumsily knitted. With such labors the queens of Gokral Seetaran were wont to beguile their leisure.

"That is all," said the child. But he seemed unwilling to go. There was a lump in Kate's throat, as she handled the pitiful gift. Without warning the child, never loosening for a moment his grip on Tarvin's hand, began to repeat the message word by word, his little fingers tightening on Tarvin's fist as he went on.

"Say I am very grateful indeed," said Kate, a little puzzled, and not too sure of her voice.

"That was not the answer," said the child; and he looked appealingly at his tall friend, the new Englishman.

The idle talk of the commercial travelers in the veranda of the rest-house flashed through Tarvin's mind. He took a quick pace forward, and laid his hand on Kate's shoulder, whispering huskily:

"Can't you see what it means? It's the boy—the cloth nine years on the loom."

"But what can I do?" cried Kate, bewildered.

"Look after him. Keep on looking after him. You are quick enough in most things. Sitabhai wants his life. See that she doesn't get it."

Kate began to understand a little. Everything was possible in that awful palace, even child-murder. She had already guessed the hate that lives between childless and mother queens. The Maharaj Kunwar stood motionless in the twilight, twinkling in his jeweled robes.

"Shall I say it again?" he asked.

"No, no, no, child! No!" she cried, flinging herself on her knees before him, and snatching his little figure to her breast, with a sudden access of tenderness and pity. "O Nick! what shall we do in this horrible country?" She began to cry.

"Ah!" said the Maharaj, utterly unmoved, "I was to go when I saw that you cried." He lifted up his voice for the carriage and troopers, and departed, leaving the shabby comforter on the floor.

Kate was sobbing in the half darkness. Neither Mrs. Estes nor her husband was within just then. That little "we" of hers went through Tarvin with a sweet and tingling ecstasy. He stooped and took her in his arms, and for that which followed Kate did not rebuke him.

"We'll pull through together, little girl," he whispered to the shaken head on his shoulder.

x.

DEAR FRIEND: That was very unkind of you, and you have made my life harder. I know I was weak. The child upset me. But I must do what I came for, and I want you to strengthen me, Nick, not hinder me. Don't come for a few days, please. I need all I am or hope to be for the work I see opening here. I think I can really do some good. Let me, please.—KATE.

Tarvin read fifty different meanings into this letter, received the following morning, and read them out again. At the end of his conjectures he could be sure only of one thing—that in spite of that moment's weakness, Kate was fixed upon her path. He could not yet prevail against her steadfast gentleness, and perhaps it would be better not to try. Talks in the veranda, and sentinel-like prowlings about her path when she went to the palace, were pleasant enough, but he had not come to Rhatore to tell her that he loved her. Topaz, in whose future the other half of his heart was bound up, knew that secret long ago, and—Topaz was waiting for the coming of the Three C.'s, even as Nick was waiting on Kate's comings and goings. The girl was unhappy, overstrained, and despairing, but since—he thanked God always—he was at hand to guard her from the absolute shock of evil fate, she might well be left for the moment to Mrs. Estes's comfort and sympathy.

She had already accomplished something in the guarded courts of the women's quarters, for the Maharaj Kunwar's mother had intrusted her only son's life to her care (who could help loving and trusting Kate?); but for his own part, what had he done for Topaz beyond—he looked toward the city—playing pachisi with the Maharajah? The low morning sun flung the shadow of the rest-house before him. The commercial travelers came out one by one, gazed at the walled bulk of Rhatore, and cursed it. Tarvin mounted his horse, of which much more hereafter, and ambled toward the city to pay his respects to the Maharajah. It was through him, if through any one, that he must possess himself of the Naulahka; he had been anxiously studying him, and shrewdly measuring the situation, and he now believed that he had formed a plan through which he might hope to make himself solid with the Maharajah—a plan which, whether it brought him the Naulahka or not, would at least allow him the privilege of staying at Rhatore. This privilege certain broad hints of Colonel Nolan's had seemed to Tarvin of late plainly to threaten, and it had become clear to him that he must at once acquire a practical and publishable object for his visit, if he had to rip up the entire state to find it. To

stay, he must do something in particular. What he had found to do was particular enough; it should be done forthwith, and it should bring him first the Naulahka, and then—if he was at all the man he took himself for—Kate!

As he approached the gates he saw Kate, in a brown habit, riding with Mrs. Estes out of the missionary's garden.

"You need n't be afraid, dear. I sha'n't bother you," he said to himself, smiling at the dust-cloud rising behind her, as he slackened his pace. "But I wonder what's taking you out so early."

The misery within the palace walls which had sent her half weeping to Mrs. Estes represented only a phase of the work for which Kate had come. If the wretchedness was so great under the shadow of the throne, what must the common folk endure? Kate was on her way to the hospital.

"There is only one native doctor at the hospital," Mrs. Estes was saying, as they went along, "and of course he's only a native; that is to say, he is idle."

"How can any one be idle here?" her companion cried, as the stored heat from under the city gates beat across their temples.

"Every one grows idle so soon in Rhatore," returned Mrs. Estes, with a little sigh, thinking of Lucien's high hopes and strenuous endeavors, long since subdued to a mild apathy.

Kate sat her horse with the assured seat of a Western girl who has learned to ride and to walk at the same time. Her well-borne little figure had advantages on horseback. The glow of resolve lighting her simply framed face at the moment lent it a spiritual beauty; and she was warmed by the consciousness that she drew near her purpose and the goal of two years' working and dreaming. As they rounded a curve in the main street of the city, a crowd was seen waiting at the foot of a flight of red sandstone steps rising to the platform of a whitewashed house three stories in height, on which appeared the sign, "State Dispensary." The letters leaned against one another, and drooped down over each side of the door.

A sense of the unreality of it all came over Kate as she surveyed the crowd of women, clad in vermillion, dull-red, indigo, saffron, blue, pink, and turquoise garments of raw silk. Almost every woman held a child on her hip, and a low wailing cry rose up as Kate drew rein. The women clustered about her stirrup, caught at her foot, and thrust their babies into her arms. She took one little one to her breast, and hushed it tenderly; it was burnt and dry with fever.

"Be careful," said Mrs. Estes; "there is

smallpox in the hills behind us, and these people have no notion of precautions."

Kate, listening to the cry of the women, did not answer. A portly, white-bearded native, in a brown camel's hair dressing-gown and patent-leather boots, came out of the dispensary, thrusting the women right and left, and bowing profoundly.

" You are new lady doctor ? " he said. " Hospital is quite ready for inspection. Stand back from the miss sahib ! " he shouted in the vernacular, as Kate slipped to the ground, and the crowd closed about her. Mrs. Estes remained in the saddle, watching the scene.

A woman of the desert, very tall, gold-colored, and scarlet-lipped, threw back her face-cloth, caught Kate by the wrist, and made as if she would drag her away, crying aloud fiercely in the vernacular. The trouble in her eyes was not to be denied. Kate followed unresisting, and, as the crowd parted, saw a camel kneeling in the roadway. On its back a gaunt skeleton of a man was muttering, and picking aimlessly at the nail-studded saddle. The woman drew herself up to full height, and, without a word, flung herself down upon the ground, clasping Kate's feet. Kate stooped to raise her, her under lip quivering, and the doctor from the steps shouted cheerfully :

" Oh, that is all right. He is confirmed lunatic, her husband. She is always bringing him here."

" Have you done nothing, then ? " cried Kate, turning on him angrily.

" What can do ? She will not leave him here for treatment so I may blister him."

" Blister him ! " murmured Kate to herself, appalled, as she caught the woman's hands and held them firmly. " Tell her that I say he must be left here," she said aloud. The doctor conveyed the command. The woman took a deep breath, and stared at Kate under level brows for a full half-minute. Then she carried Kate's hand to the man's forehead, and sat down in the dust, veiling her head.

Kate, dumb under these strange expressions of the workings of the Eastern mind, stared at her for a moment, with an impulse of the compassion which knows no race, before she bent and kissed her quietly on the forehead.

" Carry this man up," she said, pointing ; and he was carried up the steps and into the hospital, his wife following like a dog. Once she turned and spoke to her sisters below, and there went up a little chorus of weeping and laughter.

" She says," said the doctor, beaming, " that she will kill any one who is impolite to you. Also, she will be the nurse of your son."

Kate paused to say a word to Mrs. Estes, who was bound on an errand further into the city ; then she mounted the steps with the doctor.

" Now, will you see the hospital ? " he asked.

" But first let me introduce. I am Lalla Dhunpat Rai, Licentiate Medicine, from the Duff College. I was first native my province that took that degree. That was twenty years ago."

Kate looked at him wonderingly. " Where have you been since ? " she asked.

" Some time I stayed in my father's house. Then I was clerk in medical stores in British India. But his Highness have graciously given me this appointment, which I hold now."

Kate lifted her eyebrows. This, then, was to be her colleague. They passed into the hospital together in silence, Kate holding the skirt of her riding-habit clear of the accumulated grime of the floor.

Six roughly made pallets, laced with hide and string, stood in the filthy central courtyard of the house, and on each cot a man, swathed in a white sheet, tossed and moaned and jabbered. A woman entered with a pot full of rancid native sweetmeats, and tried vainly to make one of the men eat of her delicacies. In the full glare of the sunlight stood a young man almost absolutely unclothed, his hands clasped behind his head, trying to outstare the sun. He began a chant, broke off, and hurried from bed to bed, shouting to each words that Kate could not understand. Then he returned to his place in the center, and took up his interrupted song.

" He is confirmed lunatic, also," said the doctor. " I have blistered and cupped him very severely, but he will not go away. He is quite harmless, except when he does not get his opium."

" Surely you don't allow the patients opium ! " exclaimed Kate.

" Of course I allow opium. Otherwise they would die. All Rajputs eat opium."

" And you ? " asked Kate, with horror.

" Once I did not — when I first came. But now — " He drew a smooth-worn tin tobacco-box from his waist, and took from it what appeared to Kate a handful of opium-pills.

Despair was going over her in successive waves. " Show me the women's ward," she said wearily.

" Oh, they are all up-stairs and down-stairs and round about," returned the doctor, casually.

" And the maternity cases ? " she asked.

" They are in casual ward."

" Who attends to them ? "

" They do not like me ; but there is very clever woman from the outside — she comes in."

" Has she any training — any education ? "

" She is much esteemed in her own village," said the doctor. " She is here now, if you wish to see."

" Where ? " demanded Kate.

Dhunpat Rai, somewhat uneasy in his mind,

made haste to lead the way up a narrow staircase to a closed door, from behind which came the wail of a new life.

Kate flung the door open wrathfully. In that particular ward of the State Hospital were the clay and cow-dung images of two gods, which the woman in charge was besprinkling with marigold buds. Every window, every orifice that might admit a breath of air, was closed, and the birth-fire blazed fiercely in one corner, its fumes nearly asphyxiating Kate as she entered.

What happened between Kate and the much-esteemed woman will never be known. The girl did not emerge for half an hour. But the woman came out much sooner, disheveled, and cackling feebly.

After this Kate was prepared for anything, even for the neglected condition of the drugs in the dispensary,—the mortar was never cleaned, and every prescription carried to the patient many more drugs than were written for him,—and for the foul, undrained, uncleaned, unlighted, and unventilated rooms which she entered one after another hopelessly. The patients were allowed to receive their friends as they would, and to take from their hands whatever misguided kindness offered. When death came, the mourners howled in chorus about the cot, and bore the naked body through the courtyard, amid the jeers of the lunatic, to carry to the city what infection Heaven willed.

There was no isolation of infectious cases during the progress of the disease, and children scourged with ophthalmia played light-heartedly with the children of the visitors or among diphtheria-beds. At one point, and one point only, the doctor was strong; he was highly successful in dealing with the very common trouble entered on the day-book as "loin-bite." The wood-cutters and small traders who had occasion to travel through the lonely roads of the state were not infrequently struck down by tigers, and in these cases the doctor, discarding the entire English pharmacopoeia, fell back on simples of proved repute in the neighboring villages, and wrought wonders. None the less, it was necessary to convey to him that in future there would be only one head of the State Hospital, that her orders must be obeyed without question, and that her name was Miss Kate Sheriff.

The doctor, reflecting that she attended on the women of the court, offered no protest. He had been through many such periods of reform and reorganization, and knew that his own inertia and a smooth tongue would carry him through many more. He bowed and assented, allowing Kate's reproaches to pass over his head, and parrying all questions with the statement:

"This hospital only allowed one hundred and fifty rupees per mensem from state revenues. How can get drugs all the way from Calcutta for that?"

"I am paying for this order," said Kate, writing out a list of needed drugs and appliances on the desk in the bath-room, which was supposed to serve as an office; "and I shall pay for whatever else I think necessary."

"Order going through me officially?" suggested Dhunpat Rai, with his head on one side.

Unwilling to raise unnecessary obstacles, Kate assented. With those poor creatures lying in the rooms about her unwatched, unattended, at the mercy of this creature, it was not a time to argue about commissions.

"Yes," she said decidedly; "of course." And the doctor, when he saw the size and scope of the order, felt that he could endure much at her hands.

At the end of the three hours Kate came away, fainting with weariness, want of food, and bitter heartache.

XI.

TARVIN found the Maharajah, who had not yet taken his morning allowance of opium, sunk in the deepest depression. The man from Topaz gazed at him shrewdly, filled with his purpose.

The Maharajah's first words helped him to declare it. "What have you come here for?" he asked.

"To Rhatore?" inquired Tarvin, with a smile that embraced the whole horizon.

"Yes; to Rhatore," grunted the Maharajah. "The agent sahib says you do not belong to any government, and that you have come here only to see things and write lies about them. Why have you come?"

"I have come to turn your river. There is gold in it," he said steadily.

The Rajah answered him with brevity. "Go and speak to the Government," he said sulkily.

"It's your river, I guess," returned Tarvin, cheerfully.

"Mine! Nothing in the state is mine. The shopkeeper people are at my gates day and night. The agent sahib won't let me collect taxes as my fathers used to do. I have no army."

"That's perfectly true," assented Tarvin, under his breath. "I'll run off with it some morning."

"And if I had," continued the Maharajah, "I have no one to fight against. I am only an old wolf, with all my teeth drawn. Go away!"

They were talking in the flagged courtyard immediately outside that wing of the palace occupied by Sitabhai. The Maharajah was sitting in a broken Windsor chair, while his grooms brought up successive files of horses, saddled

and bridled, in the hope that one of the animals might be chosen for his Majesty's ride. The stale, sick air of the palace drifted across the marble flags before the morning wind, and it was not a wholesome smell.

Tarvin, who had drawn rein in the courtyard without dismounting, flung his right leg over the pony's withers, and held his peace. He had seen something of the effect of opium upon the Maharajah. A servant was approaching with a small brass bowl full of opium and water. The Maharajah swallowed the draught with many wry faces, dashed the last brown drops from his mustache and beard, and dropped back into the chair, staring with vacant eyes. In a few minutes he sprang to his feet, erect and smiling.

"Are you here, Sahib?" said he. "You are here, or I should not feel ready to laugh. Do you go riding this morning?"

"I'm your man."

"Then we will bring out the Foxhall colt. He will throw you."

"Very good," said Tarvin, leisurely.

"And I will ride my own Cutch mare. Let us get away before the agent sahib comes," said the Maharajah.

The blast of a bugle was heard without the courtyard, and a clatter of wheels, as the grooms departed to saddle the horses.

The Maharaj Kunwar ran up the steps and pattered toward the Maharajah, his father, who picked him up in his lap, and fondled him.

"What brings thee here, Lalji?" asked the Maharajah. Lalji, the Beloved, was the familiar name by which the Prince was known within the palace.

"I came to exercise my guard. Father, they are giving me bad saddlery for my troopers from the state arsenal. Jeysingh's saddle-peak is mended with string, and Jeysingh is the best of my soldiers. Moreover, he tells me nice tales," said the Maharaj Kunwar, speaking in the vernacular, with a friendly little nod toward Tarvin.

"Hai! Hai! Thou art like all the rest," said the King. "Always some fresh demand upon the state. And what is it now?"

The child joined his little hands together, and caught his father fearlessly by his monstrous beard, which, in the manner of a Rajput, was brushed up over his ears. "Only ten little new saddles," said the child. "They are in the big saddle-rooms. I have seen them. But the keeper of the horses said that I was first to ask the King."

The Maharajah's face darkened, and he swore a great oath by his gods.

"The King is a slave and a servant," he growled—"the servant of the agent sahib and

this woman-talking English Raj; but, by Indur! the King's son is at least a King's son. What right had Saroop Singh to stay thee from anything that thou desiredst, Prince?"

"I told him," said the Maharaj Kunwar, "that my father would not be pleased. But I said no more, because I was not very well, and thou knowest"—the boy's head drooped under the turban—"I am only a little child. I may have the saddles?"

Tarvin, to whom no word of this conversation was intelligible, sat at ease on his pony, smiling at his friend the Maharaj. The interview had begun in the dead dawn-silence of the courtyard—a silence so intense that he could hear the doves cooing on a tower a hundred and fifty feet above his head. But now all four sides of the green-shuttered courtyard were alive, awake, and intent about him. He could hear muffled breathings, the rustle of draperies, and the faintest possible jarring of shutters, cautiously opened from within. A heavy smell of musk and jasmine came to his nostrils and filled him with uneasiness, for he knew, without turning his head or his eyes, that Sitabhai and her women were watching all that went on. But neither the King nor the Prince heeded. The Maharaj Kunwar was very full of his English lessons, learned at Mrs. Estes's knee, and the King was as interested as he. Lest Tarvin should fail to understand, the Prince began to speak in English again, but very slowly and distinctly, that his father also might comprehend.

"And this is a new verse," he said, "which I learned only yesterday."

"Is there any talk of their gods in it?" asked the Maharajah, suspiciously. "Remember thou art a Rajput."

"No; oh, no!" said the Prince. "It is only English, and I learned it very quickly."

"Let me hear, little Pundit. Some day thou wilt become a scribe, and go to the English colleges, and wear a long black gown."

The child slipped quickly back into the vernacular. "The flag of our state has five colors," he said. "When I have fought for that, perhaps I will become an Englishman."

"There is no leading of armies afied any more, little one; but say thy verses."

The subdued rustle of unseen hundreds grew more intense. Tarvin leaned forward with his chin in his hand, as the Prince slid down from his father's lap, put his hands behind him, and began, without pauses or expression:

"Tiger, tiger, burning bright
In the forests of the night,
What immortal hand or eye
Framed thy fearful symmetry?
When thy heart began to beat,
What dread hand made thy dread feet?

"There is more that I have forgotten," he went on, "but the last line is:

"Did he who made the lamb make thee?

I learned it all very quickly." And he began to applaud himself with both hands, while Tarvin followed suit.

"I do not understand; but it is good to know English. Thy friend here speaks such English as I never knew," said the Maharajah in the vernacular.

"Aye," rejoined the Prince; "but he speaks with his face and his hands alive—so; and I laugh before I know why. Now Colonel Nolan Sahib speaks like a buffalo, with his mouth shut. I cannot tell whether he is angry or pleased. But, father, what does Tarvin Sahib do here?"

"We go for a ride together," returned the King. "When we return, perhaps I will tell thee. What do the men about thee say of him?"

"They say he is a man of clean heart; and he is always kind to me."

"Has he said aught to thee of me?"

"Never in language that I could understand. But I do not doubt that he is a good man. See, he is laughing now."

Tarvin, who had pricked up his ears at hearing his own name, now resettled himself in the saddle, and gathered up his reins, as a hint to the King that it was time to be moving.

The grooms brought up a long, switch-tailed English thoroughbred and a lean, mouse-colored mare. The Maharajah rose to his feet.

"Go back to Saroop Singh and get the saddles, Prince," said he.

"What are you going to do to-day, little man?" asked Tarvin.

"I shall go and get new equipment," answered the child, "and then I shall come to play with the prime minister's son here."

Again, like the hiss of a hidden snake, the rustle behind the shutters increased. Evidently some one there understood the child's words.

"Shall you see Miss Kate to-day?"

"Not to-day. 'T is holiday for me. I do not go to Miss Estes to-day."

The King turned on Tarvin swiftly, and spoke under his breath.

"Must he see that doctor lady every day? All my people lie to me, in the hope of winning my favor; even Colonel Nolan says that the child is very strong. Speak the truth. He is my first son."

"He is not strong," answered Tarvin, calmly. "Perhaps it would be better to let him see Miss Sheriff this morning. You don't lose anything by keeping your weather eye open, you know."

"I do not understand," said the King; "but go to the missionary's house to-day, my son."

"I am to come here and play," answered the Prince, petulantly.

"You don't know what Miss Sheriff's got for you to play with," said Tarvin.

"What is it?" asked the Maharajah, sharply.

"You've got a carriage and ten troopers," replied Tarvin. "You've only got to go there and find out."

He drew a letter from his breast-pocket, glancing with liking at the two-cent American stamp, and scribbled a note to Kate on the envelop, which ran thus:

Keep the little fellow with you to-day. There's a wicked look about things this morning. Find something for him to do; get up games for him; do anything, but keep him away from the palace. I got your note. All right. I understand.

He called the Maharajah to him, and handed him the note. "Take this to Miss Kate, like a little man, and say I sent you," he said.

"My son is not an orderly," said the King, surlily.

"Your son is not very well, and I'm the first to speak the truth to you about him, it seems to me," said Tarvin. "Gently on—that colt's mouth—you." The Foxhall colt was dancing between his grooms.

"You'll be thrown," said the Maharajah Kunwar, in an ecstasy of delight. "He throws all his grooms."

At that moment a shutter in the courtyard clicked distinctly three times in the silence.

One of the grooms passed to the off side of the plunging colt deftly. Tarvin put his foot into the stirrup to spring up, when the saddle turned completely round. Some one let go of the horse's head, and Tarvin had just time to kick his foot free as the animal sprang forward.

"I've seen slicker ways of killing a man than that," he said quietly. "Bring my friend back," he added to one of the grooms; and when the Foxhall colt was under his hands again he cinched him up as the beast had not been girt since he had first felt the bit. "Now," he said, and leaped into the saddle, as the King clattered out of the courtyard.

The colt reared on end, landed stiffly on his fore feet, and lashed out. Tarvin, sitting him with the cowboy seat, said quietly to the child, who was still watching his movements, "Run along, Maharaj. Don't hang around here. Let me see you started for Miss Kate."

The boy obeyed, with a regretful glance at the prancing horse. Then the Foxhall colt devoted himself to unseating his rider. He refused to quit the courtyard, though Tarvin

argued with him, first behind the saddle, and then between the indignant ears. Accustomed to grooms who slipped off at the first sign of rebellion, the Foxhall colt was wrathful. Without warning, he dashed through the archway, wheeled on his haunches, and bolted in pursuit of the Maharajah's mare. Once in the open, sandy country, he felt that he had a field worthy of his powers. Tarvin also saw his opportunity. The Maharajah, known in his youth as a hard rider among a nation of perhaps the hardest riders on earth, turned in his saddle and watched the battle with interest.

"You ride like a Rajput," he shouted, as Tarvin flew past him. "Breathe him on a straight course in the open."

"Not till he's learned who's boss," replied Tarvin, and he wrenched the colt around.

"*Shabash! Shabash!* Oh, well done! Well done!" cried the Maharajah, as the colt answered the bit. "Tarvin Sahib, I'll make you colonel of my regular cavalry."

"Ten million irregular devils!" said Tarvin, impolitely. "Come back, you brute! Back!"

The horse's head was bowed on his lathering chest under the pressure of the curb; but before obeying he planted his fore feet, and bucked as viciously as one of Tarvin's own broncos. "Both feet down and chest extended," he murmured gaily to himself, as the creature see-sawed up and down. He was in his element, and dreamed himself back in Topaz.

"*Maro! Maro!*" exclaimed the king. "Hit him hard! Hit him well!"

"Oh, let him have his little picnic," said Tarvin, easily. "I like it."

When the colt was tired he was forced to back for ten yards. "Now we'll go on," said Tarvin, and fell into a trot by the side of the Maharajah. "That river of yours is full of gold," he said, after a moment's silence, as if continuing an uninterrupted conversation.

"When I was a young man," said the King, "I rode pig here. We chased them with the sword in the springtime. That was before the English came. Over there, by that pile of rock, I broke my collar-bone."

"Full of gold, Maharajah Sahib. How do you propose to get it out?"

Tarvin knew something already of the King's discourtesy; he did not mean to give way to it.

"What do I know?" answered the King, solemnly. "Ask the agent sahib."

"But, look here, who *does* run this state, you or Colonel Nolan?"

"You know," returned the Maharajah. "You have seen." He pointed north and south. "There," he said, "is one railway line;

yonder is another. I am a goat between two wolves."

"Well, anyway, the country between is your own. Surely you can do what you like with that."

They had ridden some two or three miles beyond the city, parallel with the course of the Amet River, their horses sinking fetlock-deep in the soft sand. The King looked along the chain of shining pools, the white, rush-tipped hillocks of the desert, and the far-distant line of low granite-topped hills, whence the Amet sprang. It was not a prospect to delight the heart of a king.

"Yes; I am lord of all this country," he said. "But, look you, one fourth of my revenue is swallowed up by those who collect it; one fourth those black-faced camel-breeders in the sand there will not pay, and I must not march troops against them; one fourth I myself, perhaps, receive; but the people who should pay the other fourth do not know to whom it should be sent. Yes; I am a very rich king."

"Well, any way you look at it, the river ought to treble your income."

The Maharajah looked at Tarvin intently.

"What would the Government say?" he asked.

"I don't quite see where the Government comes in. You can lay out orange-gardens and take canals around them." (There was a deep-set twinkle of comprehension in his Majesty's eye.) "Working the river would be much easier. You've tried placer-mining here, have n't you?"

"There was some washing in the bed of the river one summer. My jails were too full of convicts, and I feared rebellion. But there was nothing to see, except those black dogs digging in the sand. That year I won the Poonah cup with a bay pony."

Tarvin brought his hand down on his thigh with an unguarded smack. What was the use of talking business to this wearied man, who would pawn what the opium had left to him of soul for something to see? He shifted his ground instantly.

"Yes; that sort of mining is nothing to look at. What you want is a little dam up Gungra way."

"Near the hills?"

"Yes."

"No man has ever dammed the Amet," said the King. "It comes out of the ground, and sinks back into the ground, and when the rain falls it is as big as the Indus."

"We'll have the whole bed of it laid bare before the rains begin—bare for twelve miles," said Tarvin, watching the effect on his companion.

"No man has dammed the Amet," was the stony reply.

"No man has ever tried. Give me all the labor I want, and I will dam the Amet."

"Where will the water go?" inquired the King.

"I'll take it around another way, as you took the canal around the orange-garden, of course."

"Ah! Then Colonel Nolan talked to me as if I were a child."

"You know why, Maharajah Sahib," said Tarvin, placidly.

The King was frozen for a moment by this audacity. He knew that all the secrets of his domestic life were common talk in the mouths of the city, for no man can bridle three hundred women; but he was not prepared to find them so frankly hinted at by this irreverent stranger, who was and was not an Englishman.

"Colonel Nolan will say nothing this time," continued Tarvin. "Besides, it will help your people."

"Who are also his," said the King.

The opium was dying out of his brain, and his head fell forward upon his chest.

"Then I shall begin to-morrow," said Tarvin. "It will be something to see. I must find the best place to dam the river, and I dare say you can lend me a few hundred convicts."

"But why have you come here at all," asked the King, "to dam my rivers, and turn my state upside down?"

"Because it's good for you to laugh, Maharajah Sahib. You know that as well as I do. I will play pachisi with you every night until you are tired, and I can speak the truth—a rare commodity in these parts."

"Did you speak truth about the Maharajah Kunwar? Is he indeed not well?"

"I have told you he is n't quite strong. But there's nothing the matter with him that Miss Sheriff can't put right."

"Is that the truth?" demanded the King. "Remember, he has my throne after me."

"If I know Miss Sheriff, he'll have that throne. Don't you fret, Maharajah Sahib."

"You are great friend of hers?" pursued his companion. "You both come from one country?"

"Yes," assented Tarvin; "and one town."

"Tell me about that town," said the King, curiously.

Tarvin, nothing loath, told him—told him at length, in detail, and with his own touches of verisimilitude, forgetting in the heat of admiration and affection that the King could understand, at best, not more than one word in ten of his vigorous Western colloquialisms.

Half-way through his rhapsody the King interrupted.

"If it was so good, why did you not stay there?"

"I came to see you," said Tarvin, quickly. "I heard about you there."

"Then it is true, what my poets sing to me, that my fame is known in the four corners of the earth? I will fill Bussant Rao's mouth with gold if it is so."

"You can bet your life. Would you like me to go away, though? Say the word!" Tarvin made as if to check his horse.

The Maharajah remained sunk in deep thought, and when he spoke it was slowly and distinctly, that Tarvin might catch every word. "I hate all the English," he said. "Their ways are not my ways, and they make such trouble over the killing of a man here and there. Your ways are not my ways; but you do not give so much trouble, and you are a friend of the doctor lady."

"Well, I hope I'm a friend of the Maharajah Kunwar's too," said Tarvin.

"Are you a true friend to him?" asked the King, eyeing him closely.

"That's all right. I'd like to see the man who tried to lay a hand on the little one. He'd vanish, King; he'd disappear; he would n't be. I'd mop up Gokral Seetaran with him."

"I have seen you hit that rupee. Do it again."

Without thinking for a moment of the Foxhall colt, Tarvin drew his revolver, tossed a coin into the air, and fired. The coin fell beside them—a fresh one this time,—marked squarely in the center. The colt plunged furiously, and the Cutch mare curveted. There was a thunder of hoofs behind them. The escort, which, till now, had waited respectfully a quarter of a mile behind, were racing up at full speed, with leveled lances. The King laughed a little contemptuously.

"They are thinking you have shot me," he said. "So they will kill you, unless I stop them. Shall I stop them?"

Tarvin thrust out his under jaw with a motion peculiar to himself, wheeled the colt, and waited without answering, his empty hands folded on the pommel of his saddle. The troop swept down in an irregular mob, each man crouching, lance in rest, over his saddlebow, and the captain of the troop flourishing a long, straight Rajput sword. Tarvin felt rather than saw the lean, venomous lance-heads converging on the breast of the colt. The King drew off a few yards, and watched him where he stood alone in the center of the plain, waiting. For that single moment, in which he faced death, Tarvin thought to

himself that he preferred any customer to a maharajah.

Suddenly his Highness shouted once, the lance-butts fell as though they had been smitten down, and the troop, opening out, whirled by on each side of Tarvin, each man striving as nearly as might be to brush the white man's boot.

The white man stared in front of him without turning his head, and the King gave a little grunt of approval.

"Would you have done that for the Maharajah Kunwar?" he asked, wheeling his mare in again beside him, after a pause.

"No," said Tarvin, placidly. "I should have begun shooting long before."

"What! Fifty men?"

"No; the captain."

The King shook in his saddle with laughter, and held up his hand. The commandant of the troop trotted up.

"Ohe, Pertab Singh-Ji, he says he would have shot thee." Then, turning to Tarvin, smiling, "That is my cousin."

The burly Rajput captain grinned from ear to ear, and, to Tarvin's surprise, answered in perfect English: "That would do for irregular cavalry,—to kill the subalterns, you understand,—but we are drilled exclusively on English model, and I have my commission from the Queen. Now, in the German army —"

Tarvin looked at him in blank amazement.

"But you are not connected with the military," said Pertab Singh-Ji, politely. "I have heard how you shot, and I saw what you were doing. But you must please excuse. When a shot is fired near his Highness it is our order always to come up."

He saluted, and withdrew to his troop.

The sun was growing unpleasantly hot, and the King and Tarvin trotted back toward the city.

"How many convicts can you lend me?" asked Tarvin, as they went.

"All my jails full, if you want them," was the enthusiastic answer. "By God, sahib, I never saw anything like that. I would give you anything."

Tarvin took off his hat, and mopped his forehead, laughing.

"Very good, then. I'll ask for something that will cost you nothing."

The Maharajah grunted doubtfully. People generally demanded of him things he was not willing to part with.

"That talk is new to me, Tarvin Sahib," said he.

"You'll see I'm in earnest when I say I only want to look at the Naulahka. I've seen all your state diamonds and gold carriages, but I have n't seen that."

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The Maharajah trotted fifty yards without replying. Then:

"Do they speak of it where you come from?"

"Of course. All Americans know that it's the biggest thing in India. It's in all the guidebooks," said Tarvin, brazenly.

"Do the books say where it is? The English people are so wise." The Maharajah stared straight in front of him, and almost smiled.

"No; but they say you know, and I'd like to see it."

"You must understand, Tarvin Sahib,"—the Maharajah spoke meditatively,—that this is not a state jewel, but *the* state jewel—the jewel of the state. It is a holy thing. Even I do not keep it, and I cannot give you any order to see it."

Tarvin's heart sank.

"But," the Maharajah continued, "if I say where it is, you can go at your own risk, without Government interfering. I have seen you are not afraid of risk, and I am a very grateful man. Perhaps the priests will show you; perhaps they will not. Or perhaps you will not find the priests at all. Oh, I forgot; it is not in *that* temple that I was thinking of. No; it must be in the Gye-Mukh—the Cow's Mouth. But there are no priests there, and nobody goes. Of course it is in the Cow's Mouth. I thought it was in this city," resumed the Maharajah. He spoke as if he were talking of a dropped horseshoe or a mislaid turban.

"Oh, of course. The Cow's Mouth," repeated Tarvin, as if this also were in the guidebooks.

Chuckling with renewed animation, the King went on: "By God, only a very brave man would go to the Gye-Mukh; such a brave man as yourself, Tarvin Sahib," he added, giving his companion a shrewd look. "Ho, ho! Pertab Singh-Ji would not go. No; not with all his troops that you conquered to-day."

"Keep your praise until I've earned it, Maharajah Sahib," said Tarvin. "Wait until I've dammed that river." He was silent for a while, as if digesting this newest piece of information.

"Now, you have a city like this city, I suppose?" said the Maharajah, interrogatively, pointing to Rhatore.

Tarvin had overcome in a measure his first feeling of contempt for the state of Gokral Seetaram and the city of Rhatore. He had begun to look upon them both, as was his nature in the case of people and things with which he dwelt, with a certain kindness.

"Topaz is going to be bigger," he explained.

"And when you are there what is your official position?" asked the Maharajah.

Tarvin, without answering, drew from his breast-pocket the cable from Mrs. Mutrie, and

handed it in silence to the King. Where an election was concerned even the sympathy of an opium-soaked Rajput was not indifferent to him.

"What does it mean?" asked the King, and Tarvin threw up his hands in despair.

He explained his connection with the government of his State, making the Colorado legislature appear as one of the parliaments of America. He owned up to being the Hon. Nicholas Tarvin, if the Maharajah really wanted to give him his full title.

"Such as the members of provincial councils that come here?" suggested the Maharajah, remembering the gray-headed men who

visited him from time to time, charged with authority only little less than that of a viceroy. "But still you will not write letters to that legislature about my government?" queried he suspiciously, recalling again over-curious emissaries from the British Parliament over seas, who sat their horses like sacks, and talked interminably of good government when he wished to go to bed. "And, above all," he added slowly, as they drew near to the palace, "you are most true friend of the Maharajah Kunwar? And your friend, the lady doctor, will make him well?"

"That," said Tarvin, with a sudden inspiration, "is what we are both here for!"

(To be continued.)

THE DEGRADATION OF A STATE;

OR, THE CHARITABLE CAREER OF THE LOUISIANA LOTTERY.



DOUBTLESS there are men among us who harbor scruples against a money-wager, just as there may be women too timid or too conscientious to smuggle; but that we as a people have a growing courage of our gambling propensities is a fact too obvious to be gainsaid. Now and then a hostile voice is heard, but it is not always irreconcilable. A recent public letter from a distinguished church authority contains an implied censure on the Louisiana Lottery, but at the same time makes the distinction that "a lottery, under certain conditions, is not opposed *per se* to the moral law." In justice to the Louisiana Lottery, I shall endeavor to show later that it is an institution which fosters with jealous care the *per se* of the business; so a person who is merely opposed to the manner in which the Louisiana Lottery is administered may yet learn to admire its benefactions in the past and its new and improved scheme of benevolence for the future.

It is a trait of the self-righteous to forget the past, when they were no better than the rest of us. Who says there shall be no more lotteries in Thomas Jefferson's land of "life, liberty, and the pursuit of happiness," when that great man was himself constrained to favor lotteries for public purposes? To be sure, in his old age he took philosophic ground against them, but if he could return to us to-day, he might well be interested to see how large a part the wheel of fortune plays in our present "pursuit of happiness." As a lover of democratic equality he would see tens of thousands min-

gling amicably in "exchanges" of different sorts where no particular gamble is raised above any other gamble; where the old and the young, the affluent man of success and the young clerk or messenger-boy just beginning his business life, make their bets on the results of horse-races or base-ball games, or pugilistic encounters, or even on the outcome of the American citizen's proud exercise of the right of manhood suffrage. As a maker of laws he would be amused to learn that the laws of the land are opposed to all these practices, which nevertheless are carried on openly because the hearts and souls of the people cry out for them. As the founder of a university he would speculate on the importance of athletic contests in our college life, and observe, if he had half an eye, that nine out of ten of the students also speculate on them. As a one-time advocate of a national lottery, he would be interested to know that the yearly proceeds of the Louisiana Lottery have grown to be twice as large as the revenues of the United States in 1800; and if he should feel any disappointment that out of the annual millions of profit to a handful of lottery-owners only a bagatelle of \$40,000 a year (in lieu of all taxes) is contributed to the charities of Louisiana, he would be asked to consider, first, that some philosophers look upon a large charitable fund with distrust; second, that the Lottery Company has promised to raise its benefactions to \$1,250,000 a year, as a bid for a new lease of life and a firm seat on the corner-stone of the State; and, last that the Louisiana Lottery is the most important training-school we possess for the higher gam-

bling institutions of our grand republic. It is the kindergarten, so to speak, in which the happy school-boy or the luckless orphan may bet the dimes he has hoarded, begged, or stolen; and it is the sequestered sanctuary where the frugal housewife or the lone widow may also drop her nickel in the slot and cause the wheel of fortune to revolve for her. It is after this manner that lotteries do good by stealth. And let no purse-proud statesman who will not be beggared if he lose his political wager, nor any well-to-do citizen who thinks the thrill of losing a thousand dollars on a horse-race is worth all it costs, nor the gentleman who enjoys the sedentary amusement of "bucking the tiger," presume to take from the poor their cherished game of chance! The profligate rich have ever been ready to resent the so-called pernicious amusements of the poor!

When the traveler turns his face toward New Orleans, a still small voice asks if Fortune has ever done anything for him. If not, why not? And may not Fortune have been waiting for this very visit to the capital of lottery gambling? Visiting actors forget their cues in devising lucky numbers; conventions of bankers compliment the local bankers, many of whom favor the Lottery, by making a losing investment; boards of serious business directors, when they meet, often contribute to a common fund for lottery tickets.

In the very heart of the city the large main office of the Lottery stands, with its opaque windows and general air of being something sinister; in the courtyard an alligator suns himself in the shallow fountain and gives color to the rumor that the poor of the city, in worshipping the goddess Fortune, cast their children to the monster; some say they only starve and poorly clothe their children to this end, the live alligator being merely an emblematic character.

Turn whichever way from his hotel the stranger will, his attention is arrested by neatly printed slips of paper hung on strings in the windows of shops. He learns that these are mostly fractional lottery tickets, worth a dollar apiece, and that twenty of them make a whole ticket. Since 100,000 whole tickets constitute the ordinary monthly drawing, their money value is \$2,000,000. What opulence! Out of that sum \$1,054,600 is alleged to be distributed in 3134 prizes, ranging from \$300,000 to \$100. What benevolence! The clever device of dividing each ticket into twenty parts was invented so that the Lottery Company, by keeping back parts of each ticket, when there is a likelihood that all the tickets will not be sold, may preserve the ratio of sales and liability for prizes, and thereby avoid all risk to

itself. The word "risk" is here used in a Pickwickian sense; it has no other meaning in the Lottery dictionary. The exact case is that *you and others* hand to the Lottery \$2,000,000, and it gives back to *some of you* \$1,054,600, or about \$52 out of every \$100. That this is a swindle on the face of it is the very thing which the Lottery as a profound student of human nature counts upon. If it says it receives \$100 for nothing, anybody will believe it can afford to surrender \$52.

And likewise when a so-called sailor comes into your office with gaudy goods which he says he has smuggled, the temptation is not to kick him out; the temptation is to buy the goods at "a great reduction," with the certainty, as you afterward discover, that they are worth nothing at all.

Twice a year the Lottery increases its capital prize to \$600,000, and the price of each ticket (of forty fractional parts) to \$40; so the ratio is the same as in the ordinary monthly drawing. This semiannual drawing is devised to attract money from foreign countries as well as from the American citizen. The aggregate of these monthly and semiannual schemes is \$28,000,000. Crœsus outdone! And out of this great sum \$40,000 (in lieu of all taxes, which by law would be several times as much) is paid to the Charity Hospital of New Orleans. A new miracle of the loaves and fishes! Since the Lottery has a local daily drawing which pays all the expenses of the concern, there is the possibility that its net income is only \$13,440,000, if we admit that the drawings are honest; and this is a case in which honesty costs nothing except the tedium of waiting for the prize-money to come back as the price of more tickets. It is a case also in which a semblance of honesty may serve as a great advertising feature. Fractions of the November capital prize were drawn in six widely separated cities, by which it appears that only three tenths, or \$90,000, of the capital prize of \$300,000 may ever have left the coffers of the Lottery, in case only one fractional ticket was sold in each of those cities.

A drawing occurred the third day after my arrival. On that morning New Orleans was in a ferment over the local primary election for delegates to the State convention, in which election the Lottery candidate for governor got all the men chosen. But in the business section of the town the excitement over the drawing was paramount. Women venders of tickets were making their last calls at offices, and street brokers were thronging hotel lobbies and bar-rooms. As eleven o'clock approached, dealers rushed with their unsold tickets to the main office, preferring their fifteen per cent. commission on the tickets they had sold to the

chance of winning a great sum by becoming responsible for the unsold tickets. Opposite, in a theater, the drawing promptly began. One of the boxes was occupied by ladies who took a homelike interest in the proceedings. The sparse company of men, in the body of the theater, were redolent of rum and tobacco and poor bathing facilities, and had no taste or money for clean raiment. In their character as investors they made one think of Cable's 'Sieur George, of the old French quarter near by, who was respected for a supposed trunk full of money, that proved to be a trunk full of unlucky lottery tickets.

Though the onlookers were a thin and a sad show, it was no ordinary spectacle to see General G. T. Beauregard and Lieutenant-General Jubal A. Early presiding over the wheels of fortune and producing by virtue of their ancient reputations a large part of the allurement of the Lottery. The former carried off the honors of the first pitched battle of the Confederacy, and to the last day of the struggle stood among its foremost soldiers. He had a genius for controversy, and was the object of much misrepresentation which credited him with the threat that he would "water his horse in the Tennessee River or in hell." Most Confederate soldiers think the Tennessee should have sufficed; but they say little about the matter for the sake of a cause which remains only in sentiment. His is a job requiring only a few hours' time each month,—I will not call it easy,—the pay of which is variously estimated at \$12,000 to \$30,000. No matter how large the sum, it is a good bargain for the Lottery. In marshaling the forces of the smaller wheel that contains the prize-slips in gutta-percha tubes, he did not wear full Confederate uniform, or medals of honor. He was simply a quiet, dignified gentleman in civilian's dress, who in any company would be singled out for a man of distinction. He sat in a chair, received the prize-tubes from a blindfolded boy, and every twentieth prize closed the wheel for the periodical stirring up. Occasionally he yielded his place to an assistant.

General Early, the other "commissioner" on a similar salary, seldom divides the honor of his office with anybody. His wheel, on the day mentioned, contained the hundred thousand numbers. It is six feet or more in diameter, and in contrast with the other wheel justifies the remark of a New Orleans accountant, who bought lottery tickets until he visited a drawing and saw "an omnibus full of numbers, and a silk hat full of prizes," which well represents the benevolent basis of the scheme. General Early is over six feet tall; he still affects gray cloth, and, with his patriarchal beard and stoop, certainly has a saintly look as he sits on the

platform and calls off "fortune's favorites." He makes no claim to saintliness, however, and it is well known that when he was the trusted lieutenant of Lee and was fighting up and down the Valley with limited resources, "Old Jube" could hold his own with any mule-driver in the Confederacy. Besides being a good soldier, General Early was a careful writer; his reports are among the best-written documents in the Official Records. It is said that a prominent "Daughter of the Confederacy" once took him feelingly to task for accepting a degrading position to which General Lee would not have assigned him, since Lee would have died before he would have taken it at any price.

The facts in regard to this Lottery and its personnel, no matter how indirectly put, will seem to be harshly said. To a stranger the "daily drawing" with the "policy" playing, in one hundred and eight special local offices, has a look compared with which the rest of the business is divine. It is hard to speak disrespectfully of any charity, but every local shop I entered breathed the atmospheric ooze of a pawnshop, and almost every customer I saw was a fit object of charity. Some showed a tremor of excitement in asking for their favorite number or combination. The best-dressed customer I saw was a widow in her weeds, her hat having the shape of a sun-bonnet. Children are sent for tickets, sometimes in the suburbs for a long distance.

In the daily drawing, held at 4 p. m., the chances are absurdly slight for the players, and all the delusions of ignorance and fatuity are at work. On the streets may be seen trained parakeets that for five cents will pick out a winning number. A famous play is the "washewoman's gig," 4-11-44. On the two days preceding the primary election, it so happened that approximations to that "gig," such as 3-11-44 and 4-11-54, were drawn, a coincidence which excited comment. Inveterate players stop children in the street and ask their age; they consult voodoo doctors; if they see a stray dog, they play 6; a drunken man counts 14, and a dead woman 59; an exposed leg plays the mystic number 11; and to dream of a fish is a reminder to play 13. Such nonsense as this takes the place of ideas of thrift and industry with a steadily growing part of the population, as the diminishing returns of the savings-banks sufficiently prove.

The promoters of the Louisiana Lottery should not be venerated as the inventors of this scheme of public benefaction; but they have had the ability to improve on previous models, which in one form or another date back to those dreamy days of Rome when even vice was esteemed a virtue, and all mankind was gay, if not happy. In the middle ages the lottery re-

appeared as one of the relics of civilization saved from the wreck of Italy. It was a chartered resource of nearly all the free cities. Those French kings whose deportment continues to be the theme of sad-eyed moralists all placed their trust in lotteries. Louis XIV. was as charitable in his intentions as the Louisiana Lottery, which must have borrowed its preamble from that pious king. Sometimes the proceeds were devoted to war and rapine, and sometimes to the endowment of public or religious institutions; the Church of St. Sulpice is said to have been built by lottery; and from that time to this the charitable lottery, the meek raffle, and the pious grab-bag have often demonstrated by their proceeds that they are "not opposed *per se* to the moral law." But there was an isolated bishop of Autun who rebelled against the receptivity of the church, and said the lottery was no better than any other form of gambling; the Archbishop of New Orleans has fallen into the same way of thinking, and has forbidden the blessing of lottery tickets. This is an interference with the spiritual freedom of the Louisiana Lottery and its home patrons which will lead, no doubt, if it has not already done so, to the placing by the Lottery of a part of its appropriation for church work outside the State or perhaps abroad. To form an adequate idea of the temerity of the Archbishop of New Orleans one must visit his fine old cathedral, listen to the tuneful Creole choir, and hear a nickel run riot in the contribution-basket as it is carried about by the grizzled verger with his staff, sword, red coat, and cocked hat. How can laying up treasures in heaven be anything but uncongenial business in a city where twenty-five cents will buy a chance in a "daily drawing," under the temporal protection of the great State of Louisiana and the guarantee of high spiritual authority that "under certain conditions it is not opposed *per se* to the moral law"?

In England lotteries once flourished, but since 1826, with that sublime inconsistency which enables the Englishman to make a fetish of race-betting and an aristocratic privilege of baccarat, the lottery, *per se* and all, has been banished to the other side of the Channel. Advantage has been taken of the failure of the Panama Canal to dig itself by lottery to prejudice people against such enterprises in France; but human nature there, as elsewhere, has too much faith in its own good luck to be discouraged by the failures of others; so, in spite of the prejudice that has grown up in the last century against lottery swindles, they still flourish in several European cities; but they all distribute from twenty-one to thirty-three per cent. more of their proceeds than the Louisiana Lottery, and have less to say about charity.

In our own land the lottery has never greatly prospered until in New Orleans it fell into hands whose benevolence has been tempered by audacity. The Louisiana State Lottery Company was founded on the proposition that "every man, woman, and child is at heart something of a gambler," and it has been sustained by the axiom that "every man has his price." This last discovery has been imputed to the present principal owner in the Lottery, but I am not sure that he claims it as his own. He is the acknowledged inventor of the charitable scheme involved in the proposition for a new charter, and his is the only name mentioned in the prospectus. All that has been accomplished, therefore, by the propaganda of the last two years in the legislature has been achieved in his name, when not actually promoted by himself.

It will be no violation of the privacy of so public a character to say that John A. Morris is esteemed by many for his personal qualities and for his readiness to subscribe money to everything that reaches the springs of public influence. Since he has for many years owned property at Throgg's Neck, New York, where he has his country seat, and is now the most considerable Morris in Westchester County, it is natural that a part of the public should associate him with the descendants of Lewis and Gouverneur Morris, the former of whom gained some notoriety by signing a Declaration of Independence. The latter, when Senator of the United States, so a biographer says, "favored the purchase of Louisiana," but it is not recorded that he ever did so out of his own pocket. These Revolutionary Morrises have always been associated with government which has been called chartered tyranny, or with law, often described as an abridgment of freedom, or with war, which is sometimes called public murder. They are quite distinct from John A. Morris's family, who for many years have been identified in a public-spirited way with the gambling amusements of the masses. John A. Morris inherited his sphere of usefulness from his father, Francis Morris, who is said to have left lottery interests to his son, and who also founded the racing reputation of the family. He was the owner of the noted breeding-farm at Holmdel, New Jersey, and between 1857 and 1859 was associated with Richard Tenbroeck in the effort to carry off the laurels of the English turf with the American horses Prior and Prioresse. Francis Morris was the owner of the celebrated brood-mare Barbarity, three of whose daughters were named Ruthless, Remorseless, and Merciless, which shows that, for his time, he had a keen literary sense of the relation of terms to things. In his son's altruistic day the same mare would more appropriately be called Bemignity, and her fillies Faith, Hope, and Charity.

In the affidavits of John A. Morris and his associates, made on the occasion of various suits among themselves over the proceeds, the origin of the Louisiana Lottery may be traced back to the Allied Gambling Industries of the country: the lottery, the race-track, and the gambling-house. The headquarters of these industries then, as now, was New York City. In the early days (1863) John A. Morris had lottery interests and turf aspirations, but he did not stand at the head, as he does now, of these two branches. A fortune of at least twenty millions of dollars is attributed to him, mostly earned by the sweat of poor negroes, washer-women, and other fatuous speculators, through his lottery gambling. He has invested hard upon a million and three quarters in the new race-track called Morris Park, and the breeding-stables of himself and son rank second among those gambling establishments that make a pretense of ennobling the horse.

Early in his lottery dealings we find Mr. Morris standing behind the name of Zachariah Ephraim Simmons, commonly called "Eph," whose surname, thanks also to his brothers, has always been a nosegay in lottery annals. A prominent partner was the Hon. Benjamin Wood, brother of the late statesman Fernando Wood, who in the early days was chiefly devoted to the policy and lottery business, and who for years has made complaint of the manner in which he was ousted from a large interest in the Louisiana Lottery and its charitable reputation.

Another associate was the Hon. John Morrissey, who, notwithstanding that his nose had been damaged during his early career as prize-fighter, was for years the noblest figure in gambling circles. Though Morrissey was a shareholder in the lottery firm of C. H. Murray & Co., his gambling-houses in New York and Saratoga, and his race-track in the latter place, absorbed his personal attention; and in his last years he was slightly diverted from his natural pursuits by the allurements of statesmanship. His gambling-houses and race-track interests have been conserved to the public use, however, by his old-time partner, Charles Reed, Esq., who recently electrified the racing-world by paying \$100,000 for St. Blaise. Mr. Reed's name does not appear in the records of the Lottery, but he is mentioned here as helping to show that the Allied Gambling Industries from which the Louisiana Lottery sprung have great vitality, and may be expected to persist in serving the public. It is possible, indeed, that Mr. Reed, who stands high among roulette and faro gamblers, like many of his craft, looks down upon lottery gambling as "a skin game" unworthy of his serious business aims.

On October 14, 1863, a diversity of lottery interests were combined in New York under the firm-name of C. H. Murray & Co. According to the court records the operations of that firm rested upon charters granted by the legislatures of Missouri, Kentucky, Virginia, Delaware, and Georgia. The original interests assigned to C. H. Murray & Co., for "ten years, from September 1, 1863," were represented in the deed of trust by Richard France and William C. France of Baltimore, and Zachariah E. Simmons, the Hon. Benjamin Wood, and Charles H. Murray of New York, behind whom stood a few other owners. This assignment was denominated a "trust," and was an early example of the kind of trust which has since become notorious in business life. Zachariah E. Simmons, Lewis Davis, and Charles H. Murray were appointed trustees, and it is a sign of the men behind them that in the event of the death of Simmons the vacancy was "to be filled by a successor nominated by John A. Morris, of Throgg's Neck in Westchester County, New York"; while in case of the demise of Lewis Davis the vacancy was to be filled by the Hon. "Ben" Wood, who at that time was very busy in Congress aiding his brother in opposing the war. The prospects of the infant Trust were rosy, but some wicked fairy dropped into its cradle a clause to the effect that any lottery franchise which might be acquired thereafter by any of the parties to the Trust should be forthwith conveyed to the above trustees and held by them subject to the same provisions. This was the seed of trouble. In his demurrer of June 3, 1872, John A. Morris alleged that the firms of Wood, Colton & Co. and Wood, Dickinson & Co. "were shams gotten up" by those men to injure C. H. Murray & Co. In the same paper he avers that while Simmons received from Colton the money to pay for the shares of C. H. Murray & Co. which the "shams" claimed to own, the transaction was really for the account of the Hon. John Morrissey, who, as Mr. Morris intimates in his affidavit, had the inclination as well as the ability to bruise Mr. Colton's head, and, therefore, could not be dealt with directly.

In 1866 and 1867 Charles T. Howard, the most remarkable figure in the Louisiana enterprise after John A. Morris, was operating in New Orleans as the agent of C. H. Murray & Co. In defending one of the suits, Mr. Morris claimed that Howard was not a representative agent, "but only accounted for tickets sold, and paid exorbitant prices for information of drawings of use in his business as policy-dealer," the argument being that because he was plucked, so to speak, by C. H. Murray & Co., he could not have been a full-fledged agent. Howsoever, Howard had busi-

ness, as agent or otherwise, in the lobbies of the negro legislature of the State of Louisiana in 1868, and on the 17th of August that legislature passed "An act to increase the revenues of the State and to authorize the incorporation and establishment of the Louisiana State Lottery Company, and to repeal certain acts now in force." In 1876 Jesse R. Irwin, whose name appears in the act as one of the incorporators, alleged in an affidavit that Howard had used large sums "for bribing members of the General Assembly of Louisiana and other persons, whose influence on behalf of himself or of said company the said Howard wished to purchase or retain"; and that the sums so paid out "amounted to at least \$50,000 during the first year of the organization of the company, which amount was paid to redeem promises made for votes in favor of the bill incorporating the company, and for other similar services." He declared, furthermore, that he believed "the sums so apportioned and used by the said Howard since that time amount to at least \$300,000"; that is, during the first seven years of the company's existence. Another incorporator, F. F. Wilder, made affidavit to the same general facts.

If bribery seems a harsh means to employ with a legislature, it must not be forgotten that beneficent ends were in view, for the act proclaims "that whereas many millions of dollars have been withdrawn from and lost to this State by the sale of Havana, Kentucky, Madrid, and other lottery tickets, policies, combinations, and devices, . . . it shall hereafter be unlawful to sell any of them, . . . except in such manner and by such persons . . . as shall be hereinafter authorized." Only adepts in philanthropic effort could have made so neat an exposé of the harm that may arise to a State from lottery enterprises, and have devised so sovereign a remedy as a lottery monopoly. The act says the objects of the corporation are "to save money to the State," "to establish a reliable home institution for the sale of tickets," and "to provide means to raise a fund for educational and charitable purposes." Another clause provides that "the corporation shall pay to the State \$40,000 per annum, to be credited to the educational fund of the State," and that "the corporation shall be exempt from all taxes and licenses from State, parish, or municipal authorities." As the capital stock was fixed at \$1,000,000, in ten thousand shares of \$100 each, the mind is stupefied with admiration for the sagacity that imposed a gift of \$40,000 a year in return for immunity from all taxes on so large a working capital. Although the act embodies all the virtues of opera bouffe, H. C. Warmoth, who, as governor, was at the head of the Louisiana government of those serio-comic

days, neither vetoed the bill nor placed his signature to it, but, by overlooking it for the statutory lapse of time, gave the Lieutenant-Governor (a negro), and the Speaker of the House the honor of certifying it to the people of Louisiana.

Charles T. Howard emerged from the corporation as its president and F. F. Wilder as secretary. John A. Morris, as he says in his demurrer of June 3, 1872, happened to be in New Orleans about the time the Lottery Act was passed, and suggested to the company that he would furnish the \$100,000 of capital required to be paid in before the company could begin operations, provided that all the privileges of the charter were given to him and two associates by a deed of trust. The company would appear to have been foreordained to acquiesce, for on August 26, nine days after the act passed the legislature, the corporation signed away all the rights of the company for twenty-four years, from January 1, 1869, to Z. E. Simmons, John A. Morris, and Charles H. Murray. Charles T. Howard as its president obviously could not sign away the rights of the corporation to himself, but as soon as the Trust was legally established, some transformations were effected which revealed the corporation in its true light as a mask for the Trust, which assumed the title of Howard, Simmons & Co. In 1872 Murray and Simmons withdrew, or were bought out, and Howard assumed the duties of "managing partner" to John A. Morris.

Thereafter Zachariah E. Simmons was in a position to reveal the secrets of the Lottery councils, which he did when Marcus Cicero Stanley brought suit in 1880 as an owner in C. H. Murray & Co., which firm, by the way, had been thrown into the hands of the Hon. John Morrissey, as receiver, in 1869, and its assets closed out to W. L. Simmons, brother of the outspoken Zachariah. The latter, in bringing aid and comfort to Stanley, swore that the money used to secure the charter in Louisiana really belonged to C. H. Murray & Co. (in opposition to Morris's allegations given above), and that he (Simmons), Murray, and Morris devised a plan to deprive that firm of its benefits. He alleged also that Morris and his brother-in-law, W. D. Hennon, were sent to New Orleans expressly to represent C. H. Murray & Co. in response to a telegram from C. T. Howard. And as though this would not bring confusion enough to his old partners, he alleged besides that Howard as president refused to sign away the privileges of the corporation unless Simmons, Morris, and Murray would give him a quarter interest in the Trust, which, as soon as the promise was fulfilled, was called Howard, Simmons & Co. Thus we see how the Lottery Company came to be a mask for the ultimate owners, Howard and Morris. The fiction

of a company has been kept up to this day, a fiction in everything except as to its stock and the ability of the postal authorities to proceed against its officers for infractions of the postal laws, which is now being done. During his lifetime Charles T. Howard was its figurehead president; after his death M. A. Dauphin lent his name to the same purposes; and on his recent demise Paul Conrad assumed the rôle of chief marionette: for the deed of trust left the corporation neither duties nor obligations, nor any privilege except the right to name a commissioner to superintend drawings, and to see that the prizes were distributed; and of course the trustees took care also to hold a controlling interest in the stock. The incorporators Jesse R. Irwin and F. F. Wilder alleged in 1876 that in the early days Howard set aside a very large sum as a "reserve" (in New Orleans jocularly called the bribery fund), and by other measures depressed the stock to half its face value with a view to buying it in. They allege also that he distributed 6800 shares as full-paid stock among the directors, and 3200 shares in some manner not known to them or relished by them.

The supremacy of Howard and Morris under the deed of trust is best indicated by the provisions for dividing the profits. Out of the gross proceeds were to be paid all the cost of carrying on the business, such as working expenses, including, of course, advertising, salaries, and the cost of maintaining the friendliness of the press and the legislatures; of the remainder, or net profits, one half was to be taken by the trustees, and the other half declared as a dividend on the company's stock. The profitability of the business is partly indicated by the fact that the remnant distributed among the stockholders in 1887 was 110 per cent. on a capital of \$1,000,000; in 1888 it was 120 per cent., in 1889 (before the postal law became an interference) 170 per cent., and in 1890 it was 125 percent. These figures have been furnished by a person who controls some of the stock; they represent the payments made to his wards. They show that in 1889 the net profits as revealed to the stockholders were \$3,400,000. Nobody outside the trustees and their confidential employees, not even the stockholders, seems to know whether the remnant divided as dividends is one half or one tenth of the net profits of the whole concern, because the power of the trustees is limitless, the opportunity for piling up "reserves" is great, and the machinery of the semiannual, monthly, and daily drawings and the daily policy business is complicated; and, furthermore, before a stockholder is able to draw his fractional remnant, it is said he must sign a receipt by which he disposes in legal form of all rights except the right to the fractional remnant and consents to the

destruction of the accounts, which he has never seen. However, the number of people in the United States who would accept 170 per cent., even though it were a fractional remnant, and agree to any amount of invisible "addition, division, and silence," is supposed to be large.

The Lottery prospered from the start, but the brilliant idea of utilizing two of the great names of the Confederacy then in need of occupation, but all the more sacred for that, and of extending the business to every town in the United States and to foreign countries, was not fully developed until the early seventies. By that time Morris and Howard's old partners in New York began to sniff carrion off the trade-winds from the Gulf. The Hon. Benjamin Wood and Henry Colton were the first to get within toothsome distance. On January 5, 1871, they filed a bill in the United States Circuit Court for Louisiana, in which, as members of the old Murray Trust, they laid claim to shares in the profits of the Louisiana Lottery. The suit was defended by pleading the immorality of the business engagements alleged by Wood and Colton. Murray charged these two with being parties to a lottery scheme which was "illegal, corrupt, against the policy of the State and the public order," and with attempting "to establish a monopoly of the trade of gambling in lotteries throughout the United States, prejudicial to law and morals"; and he asked the court to punish the complainants on their own showing. This, of course, was great fun for both sides, like laying the corner-stone of a gambling-house with religious rites, or opening a horse-race with prayer. It is not known whether Mr. Morris adopted the same facetious tone in his answer, because that document has absented itself from the records of the court. The suit was never pressed, perhaps for the reason mentioned by Morris in his demurral to the next attack, made March 9, 1872, by James S. Watson, and Marcus A. Little of New York, and William R. McKee of Maryland. In that case he offered the defense that they never properly held an interest in the Murray Trust, which made the immorality plea unnecessary; and possibly for the latter reason his answer in the suit has consented to remain on file among the court records. But the point of chief interest in Morris's answer is his statement that associates in the Murray Trust, who had not lent a helping hand when the Louisiana Lottery was in its infancy, had, as soon as it proved a success, begun to harass its owners in Federal and State courts, and that "said Morris, Murray, Howard, and Simmons were induced as a matter of economy to buy their peace by compromising said pretended claims." An exhibit attached shows that Howard and Murray had compromised

with Henry Colton by the payment of \$36,000. On the same date as this last suit, Little and McKee began a similar attack on Howard, Wilder, Murray, and Davis. The demurser of Howard and F. F. Wilder is the blandest document remaining on file in these suits in November, 1891 (I mention the date because it may take the notion to absent itself in the near future). In this paragon of frankness Howard and Wilder, "not confessing or acknowledging all or any of the matters" stated in the complaint, aver "that the subject-matter of complainants' bill, on which their prayer for discovery and relief is based, arises from transactions, contracts, and business reprobated by law and contrary to public policy and good morals." The Hon. Benjamin Wood, having grown weary of the truce established by his suit in 1871, filed a new petition on June 19, 1875. This contention was shuttlecocked until the state of war faded away into the peace that passeth understanding except for Mr. Morris's explanation of their policy of compromise as a matter of economy.

None of the defendants' answers in this last suit remain on file in the clerk's office of the United States Circuit Court in New Orleans. I asked the officer in charge if care were not taken to preserve the records of the court. He replied that persons asking to see the records were helped to them as I had been, and if they had a mind to slip them into their pockets, so much the worse for the records. He informed me that my opportunities were as good as anybody's, yet I contented myself with taking copies and notes of such documents as were still on file. A search in the office of the County Clerk in New York reveals a similar state of absenteeism on the part of important documents in the Lottery suits brought in the Supreme Court of New York. The custodian said: "I would n't be surprised by anything that might happen to the records of those suits." On the other hand, the Lottery records in the United States Circuit Court for the Southern District of New York appear to be carefully guarded.

In 1876 an attempt was made by Henry Da Ponte, owning sixty shares of the stock, to have the contract which gave all power and half the profits to Howard and Morris set aside by the courts. He was joined in this family row by Jesse R. Irwin, an original director, and by F. F. Wilder, who, in addition to being an original director, had served the corporation as secretary, treasurer, and superintendent, and was in a position to allege that some of the directors were only nominal stockholders holding really for Howard, and that, while he was the ostensible treasurer of the company, not a dollar came into his hands, the whole financial busi-

ness of the company having been conducted by Howard. The revelations of stock distributions and wholesale bribery alleged by these two incorporators have already been set forth. This suit was never tried, but the initial steps appeared to cement the friendship of Howard and Morris for Da Ponte, who has ever since stood high in Lottery circles.

And again comes Z. E. Simmons, the faithful Zachariah of Murray Trust days, the coadjutor of 1868, who, in a suit now pending in the United States Circuit Court in New York, has had testimony wrung from him to the disadvantage of his old friends Murray and Morris, and in aid of the heirs of Isaac Bernstein. Mr. Morris puts in a simple plea of being a citizen of New York, and not of Louisiana, as alleged by the complainants. On this score he pleads lack of jurisdiction. Mr. Murray, who husbands his savings, reckoned at several millions, in New Jersey, in part sets up his old plea that the Lottery contracts were "illegal and void."

Though a fruitful theme, the campaign of 1879, by which the Lottery secured a lodgment in the State constitution, can be touched here but briefly. Everybody knows that Louisiana was ruled for years by colored statesmen and white carpet-baggers, and that a shot-gun cataclysm in 1874 was the sad origin of a new era. Although the Lottery people had begun to take an intimate interest in State politics, they had the merit of belonging to both political parties. But arrange matters as they might in each legislative session there would be somebody to introduce a bill granting a new lottery charter, or withdrawing the old one. Only one of these measures, for surmisable reasons, prospered beyond a certain stage. In 1876 General Francis T. Nicholls, who had lost both an arm and a leg between the Rapidan and Petersburg, was nominated for Governor and was elected. Some whole veterans in Louisiana earn wages from the Lottery. Being only half a veteran, the Governor was not at heart sound on the Lottery question; so, when the legislature in the spring of 1879 actually rescinded the charter of the Lottery Company, Governor Nicholls signed the bill with his remaining arm. A Creole once implied approval of General Robert E. Lee by saying, "I hear Gen'ral Beauregar' speak well of him." Up to the signing of that bill, Beauregard's employers had spoken well of General Nicholls, but now such words as "scoundrel" and "traitor" were heard; they claimed to have contributed large sums for the sustaining of his government, as when thirty-two colored statesmen were induced at large expense to leave the rival "Packard Legislature," thereby depriving it of a quorum. But the repeal of the Lottery charter was annulled by an injunction

issued by Judge Billings of the United States Circuit Court, who took ground at variance with decisions of the Supreme Court of the United States. And as a constitutional convention was called for the autumn of that year (1879), the Lottery very soon perceived a way to fortify itself further. Powerful interests were at work for selfish ends, and the Lottery at once allied itself with them. A strong lobby had been formed particularly in the interest of the refunding bondholders of the Kellogg régime. New bonds had been issued to conceal the identity of millions of bonds which were regarded as fraudulent, and for that reason there was a move to repudiate them. These allied interests carried the day in the convention, from which the Lottery emerged with a limited berth in the fundamental law of the State. Article 167 of the new constitution says: "And the charter of said [Lottery] Company is recognized as a contract binding on the State for the period therein specified [until January 1, 1894], except its monopoly clause, which is hereby abrogated, and all laws contrary to the provisions of this article are hereby declared null and void, provided said company shall file a renunciation of all its monopoly features." The lottery *renounced*, with a flourish of trumpets, and even talked approvingly of another clause which provided that all lottery "charters shall close and expire on the 1st of January, 1895, from which time all lotteries are prohibited in the State." The picayune offering of \$40,000 a year in lieu of all taxes was not increased, but was given the distinct stamp of philanthropy by allotment to the Charity Hospital of New Orleans.

Though the new constitution meditated the chartering of new lotteries, and although legislators were always seeking to introduce such bills, the magnetic influence of the State Lottery was equal to the task of keeping the field to itself, and for another ten years it has rioted in its millions of profits and its benevolence of \$40,000 a year.

It was only after the Lottery, by the renunciations mentioned above, had made its peace with some of the best people of the State that John A. Morris came out prominently as a pillar of the institution. He had spent his winters in New Orleans, and as a gentleman of leisure had been elected to some of the best clubs, but was not generally known as the right bower of Charles T. Howard. The latter gentleman had been Lord of the Lottery, and certainly no knight of old, of the bar sinister or otherwise, ever carried his authority with greater aplomb. Charles T. Howard was a large, commanding figure whose gray hair and general aspect would, after the traditions of romance, have likened him to a handsome gambler. Those who knew him well say he was fitted to be the

hero of such a great epic as Milton's "Paradise Lost." He aimed at success, not glory. When the Metairie Racing Club, famous for the race of Lexington and Lecompte in 1853, treated his candidacy for membership with an indifference bordering on disdain, he quietly served notice that he would turn their race-course into a graveyard, and he did. This was not building a mansion in the skies, but at least it bore the look of preparing a way-station. When a place of respectable amusement on Canal street extended the cold shoulder toward him, he volunteered to convert it into something more to his taste; but he did not live to see his full hopes realized. He was killed, half a dozen years ago, by being thrown from his horse at Dobbs Ferry, New York, where he had a summer home. His tomb is a notable one in Metairie Cemetery, the finest "city of the dead" in New Orleans, where some of the heroes of the Confederacy are commemorated by statue and monument. Mr. Howard loved the dignifying memories of the war, and had himself elected a member of the Society of the Army of Tennessee. Some claimed that, as orderly sergeant, he had served at Shiloh. Though his election to the Army of Tennessee led to the resignation of two of its prominent officers, the practical work of the society was advanced by his munificence. It is said to have been his wish that his heirs should provide a home for the Louisiana Historical Association. They have done so handsomely, in a building that cost \$20,000, where the veterans meet, where relics of the war are kept, and where the purposes of history are efficiently served. This Veterans' Hall is an annex to the handsomest public building in New Orleans, the "Howard Memorial," dedicated to the memory of the philanthropist under discussion, on which over \$100,000 was spent, and which in every detail of construction and furnishing is a model public library. It stands almost in the shadow (if the sun were not on the wrong side) of the austere figure of Robert E. Lee, towering on the column in Lee Circle. Only esteem can be felt for the filial act which devoted these buildings to a father's memory. It is the single unselfish benefit that Lottery money has conferred upon New Orleans, whose people have been impoverished by the daily drawings; and no doubt the heirs would be glad if they could disassociate from the gift its mute influence as a bribe to public respect on behalf of a gambling corporation.

For ten years the Lottery owners have prepared for the struggle which is now at its height, and which is to result in the further degradation of the State, or in the death of the monster after 1893. They long assumed content with the provision abolishing all lotteries after January

1,1895. Before that time, they said, they would have money enough. So they gathered in five to thirteen millions a year,—nobody knows how much, but their schemes on their face prove that the highest sum is possible,—and began to intrench their power. Lottery money flows in almost every channel of trade and manufacture in New Orleans, even of the State. Some of the leading banks that dominate the reserve capital of the State are allies of the Lottery. The anti-lottery leaders claim that many depositors and borrowers who at heart are opposed to the proposition for a new charter, are constrained to conceal their opposition by fear that they might be denied credit on favorable terms. Four national banks are advertised sponsors of the Lottery, and, besides the certificate of Generals Beauregard and Early, each lottery ticket carries on its back the guarantee of "R. M. Walmsley, President Louisiana National Bank; P. Lanaux, President State National Bank; A. Baldwin, President New Orleans National Bank; Carl Kohn, President Union National Bank." The New Orleans National Bank is the declared cover of the Lottery mail under the new postal regulations. The president, Albert Baldwin, who is the leading merchant and banker in New Orleans, is supposed to be a large owner of Lottery stock, as well as one of the six unnamed incorporators of the proposed new charter. He is an ardent Republican, just as John A. Morris is an ardent Democrat. Baldwin's reputed large gift to the Harrison campaign fund, be it said in justice to the Administration, along with other powerful influences, was not sufficient to keep the recent postmaster in his place for more than a year and a half after the new régime came in. This postmaster was appointed under President Cleveland, and was not suspected until the end of the latter's term to be one of Morris's friendly assistants. Because of his high character, and his social relations with the best people of the State, the urgent popular demand for his appointment to the guardianship, as it were, of the Lottery mail, bore a public-spirited aspect. The colored statesman, Ex-Governor Pinchback, is also regarded as one of the political pillars of the Lottery, and is supposed to be a large stockholder.

Lottery capital controls the water-works that sustain the living, and Metairie Cemetery, the home of the aristocratic dead; it supports the old French opera-house, the rendezvous of the best, and it is a brilliant, society; it turns the great cotton-mills, and has built a large plant which is the initial experiment of taking the manufacture of sugar off the hands of planters. It was a hobby of the Hon. Don Caffrey that if central mills for the grinding of cane could be set up independently of

the planters, the latter would be relieved of a large business burden. When Mr. Morris learned through one of his friends of Mr. Caffrey's desires, he took hold of the subject with enthusiasm, furnished the capital, placed Mr. Caffrey at the head of the concern, and then saw the covetous lawyer withdraw in haste when the duty of the head of the enterprise to the Lottery propaganda was foreshadowed. Mr. Caffrey's eloquence in favor of the Lottery, or even his silence, would have been an ally to prize; his active hostility has been a tower of strength to those who are trying to rid the State of the blight of Lottery charity.

Then there is the Lottery "reserve fund." We have seen that long before 1876 it amounted to hundreds of thousands of dollars. By the habit of the trust-owners it may be increased each year out of the gross receipts, before half of the net profits are doled out to the stockholders. That it is an enormous fund is evident from the demands upon it; and it is well known that in its idle moments it has been augmented by investments in real estate and as interest-bearing capital, which reminds one of Gilbert's optimistic lines: "When the coster is n't jumping on his mother he loves to lie a-basking in the sun." It is the duty of this reserve fund to grease the wheels of both political machines through the regular channels, and to feed the ambition of all sorts of big and little, better and rougher, political bosses by private subscriptions; to aid the influential who are needy, and the unscrupulous who are useful; to quicken the wisdom of the press, which in its secular aspect in the State is 173 for the Lottery to 28 against; to compromise with legislators so that no rivals shall enter the field; in brief, to make the Lottery a perfume in the nostrils of influential people in every walk of life. The number of regular pensioners on the fund is believed to be enormous: some are parasites, and others are quickened into silent or audible advocates. The avenues of employment are a powerful lever also for indirect influence. In the main lottery-offices are innumerable employees, often poor relatives of influential people who are thereby kept in a state of moral coma. The 108 suboffices of the "daily drawing" and its attendant "policy" business are let to outside persons, and are sources of large profit. Two or three members of the legislature are known to occupy sub-offices by proxy. When application is made to fill a vacancy, or to open a new office, it is said that if the aspirant does not bring a recommendation from two members of the legislature, he must have other powerful influence, or be foreordained to failure. These suboffices do not include the myriads of agencies at cigar-stands, barber-shops, and other stalls, where

a commission of 15 per cent. helps to keep another army of somebody's friends or poor relatives in a maintenance. Many an advocate of the Lottery on charitable grounds has proven later to be a pampered stockholder. A prominent case was the president of the leading social club, who was also a surgeon of more than Southern fame. He gave quiet help in getting the Lottery into the Constitution of 1879. When he died, after an extravagant life, almost his entire fortune was found to consist of Lottery stock.

When the campaign for governor and a new legislature opened four years ago, John A. Morris buckled on his armor because he had made up his mind to serve the State by applying for a new lease of Lottery life. It is a peculiarity of Louisiana politics that the governor who is in is unpopular, and the governor who is out arouses enthusiasm. Governor Samuel D. McEnery was a candidate for a renomination. The Lottery was looked upon as his friend, although in a message in 1882 he had said: "The constitution declares gambling to be a vice, yet it encourages that vice in its worst forms, not only inciting to breaches of faith and embezzlement in the effort to get rich in the turn of a wheel, but demoralizing society, corrupting politics, and impeding legislation." Nine years later, from the Supreme Bench, Justice McEnery, by his decision and that of two associates, placed the Lottery amendment before the people; and now, by the nomination of December 18, 1891, he is the candidate for governor of every pro-lottery Democrat in the State. Against him are arrayed the anti-lottery Democrats and the Farmers' Alliance, who on the same day nominated the leader of the Anti-Lottery League, Murphy J. Foster, a State senator of commanding ability and proved integrity. This split in the Democratic party gives the Republicans a variety of opportunities, and as many of their influential leaders and legislators have always aided the Lottery, the situation has an aspect of humor and victory to John A. Morris and his six concealed coadjutors, whether or not the Lottery Republicans bolt in McEnery's interest or join in electing a straight Republican ticket. The Lottery people claim that the contest is a political squabble for offices, but everybody knows that the Lottery amendment is the great issue involved.

When McEnery lost the nomination four years ago, Governor Nicholls came again into power. Toward the end of the latter's canvass, when success was apparent, the Lottery insinuated \$10,000 into his campaign fund, but not with his knowledge. With the end of winter, in 1890, came an awful flood, the ever-threatening demon of the Lower Missis-

sippi. Levees were swept away, planters were in distress, and a peremptory cry for help arose to which Governor Nicholls could not immediately respond without violating his oath. When the clamor was at its height, the Lottery sent him a check for \$100,000. This Governor Nicholls returned. He was willing to see the State disappear in a crevasse before he would save it with Lottery money. This was the Lottery's opportunity to put him in a crevasse, and Mr. Morris's agents promptly sent checks of proportionate size to every levee officer in the suffering section, only one of which was returned. They also loaded several steamboats with supplies for the people of the inundated regions, and when the flood subsided spent thousands of dollars in distributing seed. In 1890, \$50,000 was given to New Orleans for levees. This large-heartedness was all the more noticeable because the Lottery had seen several floods come and go in the past without signs of sympathy. It is said that Lottery money built two churches; and as though charity were a disease that feeds on itself, the Lottery began to distribute a few other "capital prizes," some of which were not accepted. When an offer was made to relieve the diocese of New Orleans of its debts, the Archbishop declined this *per se* emanation from the Lottery; when a shaft of \$5000 was aimed at the Normal School at Natchitoches, it was warded off with the cold shoulder. When the Sanitary Board of New Orleans was offered \$30,000, partly for public bath-houses and in part for the indispensable summer work of flushing the gutters, the Board received the gift in spite of the protests and resignations of members who "would not indorse the Lottery as a charitable institution to the children of New Orleans, for \$30,000."

In laying the foundation for influence in the legislature of 1890, the Lottery had the help of all the hack political bosses, and of some private agents of social position. The dread of political domination by bosses is very strong in Louisiana; and it is said that John A. Morris, on appealing personally to Senator Avery of Iberia parish to support the amendment, reached a condition of moral fervor in which he declared "it would be a crime to refuse this great benefaction to suffering Louisiana." "Mr. Morris," said the Senator, "eleven of my kinsmen were killed at Fort Griswold by Benedict Arnold, in their effort to rid this country of one-man power; I and my kinsmen have fought for the State of Louisiana, and there is no influence strong enough to make me vote to place this State in the power of one man, whether he be you or somebody else."

This was the summer of 1890. Governor Nicholls had anticipated the "Revenue Amendment," which is the sugar-coated popular title

of the Lottery bill, by marshaling, in his message to the legislature, every reason in common morals and State policy why it should be voted down. Nevertheless, the "Revenue Amendment" was brought before the legislature, and such a struggle as Louisiana had never seen before was begun. As adopted it proposes a new article for the constitution of the State, to be voted upon in April, 1892. It is called "Article on Levees, Schools, Charities, Pensions, Drainage, Lotteries, and General Fund." It seeks to reestablish the Lottery for twenty-five years, from January 1, 1894, in the name of John A. Morris and six other persons *hereafter to be revealed*. In consideration of the "contract" (no charter this time) John A. Morris is to undertake that during the life of the Lottery \$31,250,000 shall be paid to the State in yearly parts of \$1,250,000, the latter sum to be apportioned (in quarterly payments) as follows: \$350,000 to the public schools; \$350,000 to the levees; \$80,000 to State hospitals; \$40,000 to State insane asylums; \$25,000 for the deaf, dumb, and blind; \$5000 to the Soldiers' Home (a State institution); \$50,000 for pensions to "disabled, infirm, or indigent Confederate soldiers (as there is no State pension fund at present, the shrewdness of this bribe is obvious); \$100,000 to the city of New Orleans for drainage and other sanitary purposes; and \$250,000 to the general fund of the State. Rival lotteries are effectually shut out by the necessity of coming into life in the same way and of paying an equal amount to the State. The company, besides, is to be exempt from taxation; but the sum of \$1,250,000 is not far from the equitable taxes on the new capitalization at the premium value of its stock, according to the present laws.

At first the legislature was tempted with \$500,000 a year, but as one member thought his scruples could not be overcome by less than \$1,250,000, and as others deemed it wiser to confront their constituents with that sum behind them, Mr. Morris good-naturedly consented. What was a million, more or less, to him, when all this money was coming out of the pockets of the people it was supposed to benefit, along with as much more to line his own pockets! A word like "selferosity" should be invented to express such boundless love of mankind. The delusion of those statesmen may be inferred from the fact that \$1,250,000 is not far from the present State taxation; but they were told by the Lottery that 93 per cent. of all its business comes from outside the State; yet it is a demonstrable fact, on the theory that each of its 108 local policy-shops brings in a business of \$60 a day (which is said to be the minimum tolerated, a shop being moved or the management changed if the income is

less), that the local daily drawing will more than pay the new obligation to the State, showing that it will really come out of the pockets of Louisianians, and from the class least able to pay it. But could anything be more fascinating as a bribe to the average citizen than the abrogation of all taxes? Some very good men in Louisiana have persuaded themselves that this is the real and not the apparent effect of the "Revenue Amendment." They do not see, among other incongruities, that in public schools supported by the Lottery, the teachers might properly be agents for the sale of tickets, and that it would be laudable for the pupils to economize on luncheons so that during a week they might save the price of at least one ticket.

As an amendment to the constitution the bill could be passed only by a two-thirds vote in each house. For a time the Lottery was slightly in arrears. All of the colored brethren were on its side, in plenty of white company. Little by little the opposition saw their forces flowing to the Lottery side, a final sign of weakness being the plea that support of the bill was, after all, only saying to the constituencies, "If you don't want this Lottery, don't vote for the amendment." A member who yielded to this plea said he would rather his son should die than be educated by that fund. At the critical moment the anti-lottery members in caucus pledged their sacred honor not to be bought or wheedled into support of the bill. A senator who had given that pledge, who had been impoverished, who was in poor health and harassed as to the support of his family, was the last man needed for a Lottery victory. He voted to submit the question to the people, sank into his chair, and in shame buried his face in his hands. Nearly a year afterward this pitiable man was carried ill to the Hôtel Dieu in New Orleans. After his death a belt containing \$18,000 was found on his person, and was considered to be the remaining part of a larger sum. A relative published a defense to the effect that he voted according to his convictions, but did not deny that the money was found upon him. There was a white Baptist minister in the legislature who voted for the bill, it was said, because the Lottery had subscribed to his church. He was turned out of his church and afterward out of the denomination. Symptoms of sudden wealth broke out on many members, previously poor, who are mentioned by name in the talk of the town.

Amid much jubilation, on that great day for charity, the bill was sent to Governor Nicholls, who returned it, on July 7, with his veto. The House lost no time on the following day in passing it over the Governor's head by a vote of sixty-six to thirty-one, one member being absent. The Senate would doubtless have followed suit but for an unforeseen accident. One

of its members had been to New Orleans on the wings of victory, where he had acquired a state of delirium tremens. His vote was needed to override the veto, and his physician had declared that his life would be forfeited, probably, if he were carried to the Senate. Nevertheless, his wife is said to have favored the attempt; an effort was made to get the use of the Lieutenant-Governor's room for his accommodation; then it was suggested that the Senate should meet where the sick man lay. But the opposition threatened to investigate the ability of the man to cast a legal vote. The man died, and in desperation the Lottery senators decided that as the bill had already been passed by a two-thirds vote it was unnecessary to submit it to the Governor for approval. The House adopted this view; and when the Secretary of State declined to certify the bill on that ground, and for the reason that alterations and changes in the journals of the two houses, regarding the bill, had been made without proper authority, the Supreme Court of the State, by a three to two judgment (Associate Justice McEnery concurring), set aside both objections, and the bill was promulgated. In such trappings of fact does John A. Morris's Child of Charity appear before the altar of manhood suffrage for consecration.

A month after their defeat, a convention of the Anti-Lottery League met in Baton Rouge. Such able speakers as Murphy J. Foster (the leader in the Senate), Judge E. D. White (now United States senator elect), Edgar H. Farrar, and Charles Par lange made the air red with eloquence and blue with the moralities of the question. Mr. Farrar has since led in a campaign of hard facts to show that the city and State are prosperous, not poor, and to expose the fallacy of the Lottery on business principles. United States Senator Gibson has also turned his logic against the amendment. The league was formed in New Orleans in April, 1890, by Judge White, Colonel J. Davidson Hill, Judge Frank McGloin, Colonel C. Harrison Parker, Judge F. A. Monroe, Colonel W. G. Vincent, and Senator Charles Par lange. Hundreds of men prominent in the law, in education, and in business, like the attorney-general, Walter H. Rogers, the Hon. Don Caffrey, the Rev. Dr. B. M. Palmer, Colonel William Preston Johnston, and Branch M. King, have rallied to it. Foremost among them are men who wore the same uniform as Generals Beauregard and Early, but who spurn the idea of salaries or pensions from the Lottery. They are determined men, and have enlisted their lives and whatever fortune they possess in the cause of restoring Louisiana to the sisterhood of respectable States.

As the Lottery question pervades church and society in New Orleans, it is not surprising that

the women have formed a league of their own, with branches in all the parishes. Mrs. William Preston Johnston is president, and the parent branch of New Orleans in November numbered 700. These women are earnest and outspoken. An incident in the autumn was the offering by a member of her only valuable piece of jewelry, a gold watch, which she asked the finance committee to sell for the benefit of the fund.

The only real setback to the Lottery has come from the new postal regulations. At various times since 1883, Inspector George A. Dice has done efficient work in obtaining evidence of violations of the postal law, but in every instance the United States Court in New Orleans proved an obstacle to conviction, so liable is the ermine to lose its luster in a Lottery atmosphere. Finally, Congress passed a new law in September, 1890, which made it possible to prosecute for the posting of lottery tickets or advertisements, along the route or at the destination. The day that law was signed, Mr. Dice heard a salute of one hundred guns fired in New Orleans by the anti-lotteryites in honor of their first and only success. Inspector George C. Maynard has since picketed the Gulf district, and, in addition to the Louisiana Lottery, has had also to watch the Juarez Lottery, a Mexican concern to which Confederate General John S. Mosby is commissioner. Mexico is a paradise for gamblers. A traveler who has just returned says that at a watering-place in that country he entered a tent in one end of which was a gaming-table for adults, while in the other end was a table for youths; a pawnshop occupied the center.

At the New Orleans post-office, in ten days prior to the passage of the new law, the Lottery Company received 30,000 letters; in the same time the New Orleans National, the Lottery bank, received 8464 registered letters. For ten days in July, 1891, the Lottery received only 534 letters, and the bank only 41 registered letters. One third of the New Orleans mail formerly went to the Lottery, the receipts of the post-office on that account alone amounting to \$125,000 a year. Postmaster-General Wanamaker, who has sustained the new law with untiring energy, says in his last report: "The mails are no longer used by the Louisiana State Lottery Company for the transmission of printed matter in packages or unsealed envelopes. Its patronage of the post is now limited to letters and packages under seal, and I have reason to believe that such matter is sent only to points that can not easily be reached by the express companies. Statistics show that during the calendar year of 1889 there were received at the Dead Letter Office 11,266 Lottery letters, or an average of 938 letters per month. During

the first six months of 1890, 5686 Lottery letters were received, or an average of 947 per month. During the next five months of the same year—these include about two and a half months succeeding the date of the approval of the Anti-lottery Act—there were received 2597 letters, or an average of 519 per month. During the eleven months beginning with December, 1890, and ending with October, 1891, 686 letters containing lottery tickets were received, an average of only 62 per month. At present the average is less than 40."

If necessary, the Lottery would no doubt conduct its carrying business by pony-express or even by foot-messengers; but just at present it finds the express companies a handy agency, against whom, however, the Postmaster-General is preparing legal warfare. Of the extent of the express traffic he says in his report: "Some of the expresses have instructed their agents and employés to refuse the business of the Louisiana Lottery, but the instructions are ineffective, because packages are sometimes smuggled into the express by persons not known to be connected with the Lottery, but more frequently because the employé is either indifferent to his instructions or in sympathy with the Lottery; and it is not disputed that such matter is received and conveyed without dissent by express companies professing to refuse it, when offered by connecting lines forming a part of the entire route over which it is to be carried. Other companies, as for instance the Southern Express, openly receive and transport all printed matter offered by the Lottery Company and its agents, sealed or unsealed, and all sealed packages, presumably of written or partly written matter, insisting that they are prevented from either making special inquiry as to the contents of the packages or disturbing the seal."

In the past, as at present, the Lottery mail has been the chief source of corruption to the postal employees, and to an extent which official prudence, to aid its detective work, has felt bound to conceal. But the facts are astounding. With the purpose of discrediting the New Orleans post-office, the Lottery bank has recently charged indifference on the part of the authorities, who are obliged to work in quiet, and who have no surveillance over the employees of the bank; for the Lottery mail corrupts alike those that handle and those that receive it. An account of the subterfuges of the Lottery to evade the postal law would fill a volume. Some of their home journals in the Lottery interest are making a desperate assault on the constitutionality of the law, for excluding from the mails newspapers that print Lottery advertisements. The case was argued in November, and in the middle of December the decision had not yet been rendered. That pub-

lic opinion strongly favors the exclusion of Lottery matter from the mails is indicated, the Postmaster-General says, by the fact that "of the 2259 newspaper editorials, published in 850 papers, which have come to the notice of the Department during the past year, 2172 have opposed the use of the mails by lotteries, and 87 have favored it." It would be interesting to know how many of the 87 were printed outside Louisiana.

A year and a half of public arguments and appeals have had no effect on lottery-workers and respectable sympathizers; either the Lottery *per se* or the supposed tax-paying power of the "Revenue Amendment" has full command of their influence. The sole hope of the Anti-Lottery League is with the people of the parishes; in New Orleans it has only a strong fighting minority, made up of the better elements, but they are men who cannot be trifled with, and who mean to have fair play at the polls. Their home money resources are nearly exhausted, for they are men of moderate means. One member subscribed \$15,000, and others according to their ability. To get a hearing in the press, they were compelled to start, in May, 1890, the "New Delta," which is ably edited by Colonel J. Harrison Parker and Colonel John C. Wickliffe. Every week a committee canvasses for funds to keep this necessary agency up to its vital work, while the old-established newspapers draw sustenance from the Lottery's advertisements, and give the impression that the power and prestige of the State are all for the Lottery bill.

With millions of Lottery money to contend against, and with lessening resources, the League has in desperation collected its Winchester rifles, which were kept under cover near every polling-place during the white primary election of November 10; for it was doubted if the Lottery's ward bosses and heelers would count their votes in case the election was close. No law-abiding citizen can approve of the mob of last spring, that taught the Mafia its terrible lesson; but no citizen of the North can understand, except on the ground, the provocations of the would-be law-abiding people of New Orleans. In this fight all of the various Mafias are on the side of the Lottery, which is the masterful vampire Mafia of them all. W. S. Parkerson, the leader of the men who marched to the parish prison and who has been prominent in the movement to crush out corrupt boss rule in local politics, came into the League as soon as he found that the bosses were to a man in the Lottery camp. Another sign of the desperation of the League is its appeal for outside money support. The good people of New Orleans have the habit of depending upon themselves, but in the hour of exhaustion they are

willing to beg for this cause, and General George D. Johnston was sent to New York to ask for aid, the great mass-meeting of November 13 being the first response to his efforts.

Some have thought that abuses at the North ought first to be righted before aid should be sent South; few understand to what an extent this is a national question, so silent and insidious has been the spread of lottery gambling. *It is, first and last, a national question!* New Orleans is only an incident. In justice to Louisiana, the whole North ought to lead in this fight—with its support when the battle is in New Orleans, and in Congress if the victory in April is with the Lottery. Has not the Lottery proclaimed that ninety-three per cent. of its business comes from abroad? Within a year it has made a desperate attempt to obtain a charter from North Dakota, as a refuge in case it should fail to get a new footing in Louisiana. A journalist, traveling last autumn in the Canadian Northwest, was asked by his guide to withhold his pay till it amounted to five dollars, with which he intended to buy a Louisiana Lottery ticket. New York hatched this Lottery, and New York, in spite of the postal law and the police, is to-day its main dependence. The dishonest real-estate clerk who, two or three years ago, robbed a prominent New York law firm of upward of \$250,000, confessed that most of the money was lost in policy and lottery gambling. Boston, New Haven, Philadelphia, Buffalo, Washington, Cincinnati, Kansas City, Denver, and San Francisco are hotbeds of this virus. On my way to New Orleans I visited Detroit, where the Lottery agents are active but under cover. In Chicago the inspector of police from his office in the City Hall, in answer to my inquiry, pointed to a doorway opposite his window, and through that doorway I walked into a room off a side hall where lottery tickets were being sold openly, and where a silent file of youths and men followed each other in and out. On the wall were rough placards giving the names of recent drawers of portions of "capital prizes" in two large manufacturing houses. These I visited, to find that the facts were as stated. At one place the proprietors were unfriendly to the business; in the other the sentiment was favorable. The havoc of the Lottery in Chicago was attested by stories of riotous living and ruin wrought by lucky tickets, and by several cases in which the police had been debauched. Two years ago a policeman won part of a capital prize, set up a saloon called the "Louisiana," soon ran through the money, and was welcomed back

to the police force. The sensation while I was there was the recent "breaking" of a detective who had been caught by his "partner detective" (a new man of firm character) taking bribes of tickets and money from the Lottery's chief agent, who keeps the office described above. The agent was made to admit his crime, and on December 19 he and his clerk, after long immunity, were fined \$100 each. In St. Louis I found the Lottery's agents active but sly. The office of the chief agent was a pretended cigar-store, a mere hole six by fourteen, with a screen in front. Near by the whole interior of a vast block was given up to a labyrinth of pool-rooms, packed with motley crowds of men, youths, and negroes. All kinds of pools were being sold on horse-races in the East and South, and on base-ball games. There were counters where half-dollars could be staked, and to these youths who looked like clerks and mechanics were thronging in the noonday hour. Shortly after my visit, the Supreme Court of that State sustained the Missouri law against pool-selling, and that hive of industry has since been closed.

Though the people of this country have been strangely blind to the fact, the "Louisiana State Lottery" has been a national question for twenty years; the moral view aside, it remains a business and a political issue. A National Committeeman is authority for the statement that in the campaigns of 1884 and 1888, the Lottery made large and equal contributions to the fund of each party. What would it not give for a deaf, dumb, and blind Postmaster-General in Washington and a friendly postmaster in New Orleans, no matter of which party!

The Lottery is the farthest reaching of all the pestilent gambling enterprises of the Union. Saloons, barber-shops, and cigar-stands are the centers of its traffic. Even if the Lottery is stripped of the power of the State that it degrades, this kind of crime will of course be carried on by somebody in secret though on a smaller scale. But if the Lottery fastens itself anew on Louisiana, owning her, as it will, both body and soul, and if it secures control of Congress and the United States mail, as it is trying to do by its political contributions, then let the country be equally kind to her allies the gambling-houses and pool-rooms; establish them by constitutional amendments; let each State have its own lottery; and induce John A. Morris to extend his benevolence by teaching his own New York, as he has taught the Pelican State, how to feed her children off her own flesh, while she fattens him.

C. C. Buel.

TOPICS OF THE TIME.

Will an American State be Guilty of Suicide?

IN this number of *THE CENTURY* we present some of the results of a recent personal investigation made by one of the editors of the magazine into a subject of pressing national importance — namely, the Louisiana Lottery. We think that no fair-minded reader can go through this paper carefully without being amazed at the gradual revelation there made of unworthy and demoralizing habits and passions, fostered in the coldest blood by designing and greedy men, through all the various expedients of temptation, corruption, chicanery, and intimidation. Never was the livery of heavenly charity more flagrantly stolen “to serve the devil in” than by the beneficiaries of this far worse than mere gambling institution.

If the lottery should succeed, it is no mere figure of speech to say that the life of one of the fairest States of the Union would be crushed out of it for at least one generation, and those who mistakenly, weakly, or corruptly assist in the deed, and their children after them, will suffer dishonor and injury to an extent they now seem little to realize. But it is not merely a State question, or a national question having to do with one of the States of the Union: the Louisiana Lottery is a curse from one end of the country to the other. Its ramifications and evil designs are only half understood by the people at large. Unless it is crushed out it will ally itself with every sinister influence in the nation, and breed evil, and that continually, to the end of its pestilent days.

A “Cheap-Money” Hand-Book.

THE articles upon cheap-money experiments and delusions which have appeared in this department of *THE CENTURY* during the past year have been collected into a neat pamphlet of twelve chapters, which The Century Company has published at ten cents a copy, or five dollars a hundred. This publication has been fairly compelled by the wide-spread interest which the articles have aroused, and by the requests which have come to us for them in a convenient and cheap form, suitable for popular distribution.

As a sample of the interest awakened, evidences of which have reached us in almost innumerable letters and newspaper clippings, we cite the following voluntary and gratifying testimony from the editor of an important newspaper in Kansas:

We are finding *THE CENTURY* a most valuable aid in fighting the financial heresies that have taken possession of Kansas during the past year. Your articles on finance have furnished the backbone of thousands of campaign speeches and newspaper articles in our much-maligned State. Give us more of them and we will soon be restored to health and sense.

It was for the purpose of supplying material for such use as this Kansas editor says was made of the articles that we published the series. It seemed to us that the most effective way in which to meet and refute unsound financial theories of the present time was to show that they had been tried and found wanting in other times;

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to show that, instead of being new, they were as old as economic science itself, and that, instead of being experimental, they had an unbroken record of human experience against their success in practice, extending over a period of nearly three hundred years. We began the demonstration with the history of the English Land Bank scheme of 1696, and ended it with the story of the Argentine Republic's experience with similar theories in our own day. In the twelve chapters of the pamphlet will be found the history of the more important of the cheap-money experiments of past and present times, including those of several of our State banks in the early part of the present century.

The material thus brought together is to be found in no other single publication. It has been obtained from many sources, some of them very difficult of access, and all of them entirely trustworthy and impartially accurate. The pamphlet is, therefore, a compact hand-book of exact information upon a branch of financial and economic history which is especially interesting and instructive for the American people. It will show them that all the schemes that are advanced in these later days for making money more plentiful and increasing everybody's prosperity have been tried in times past, and have, without exception, failed in practice, leaving behind them nothing but disaster and disgrace.

We are rejoiced to be able to say that since we began the publication of this series, a year ago, the danger that the United States might be misled into repeating as a nation some form or other of these financial blunders has been greatly lessened. The Farmers' Alliance, with its mischievous subtreasury scheme, the details of which are set forth in chapter VII of the pamphlet, was at that time in the height of its power. It had carried the State of Kansas in the preceding November election, and was making serious inroads upon the strength of the two great political parties in various Southern and Western States. The “silver craze” was also at its height, and had such powerful support in Congress that the country seemed destined at an early day to make a descent to the silver standard of value. To-day the outlook is much less ominous. The Farmers' Alliance was defeated as signally in the recent November election in Kansas as it had been successful in the election of a year earlier. In the Southern States, notably in Mississippi, the fallacies of the subtreasury scheme were taken up for public discussion by leading Democrats, and were argued with such fearlessness and ability as literally to be driven from the minds of the people. Even among the Alliance members themselves discussion of the subtreasury scheme has brought it so much into disfavor that a majority is to-day against it, and it is passing rapidly into the oblivion set apart for financial heresies. The silver craze has so far spent its force that there is now little danger of free-silver-coining legislation by the present Congress, and if that should adjourn without action there is every reason to believe that the danger will have passed, never to return.

If *THE CENTURY* has contributed, as our Kansas

correspondent says it has in his State, to produce this healthier tone in public sentiment throughout the country, this sounder, because more intelligent, view of financial principles and economic laws, it has accomplished the purpose it had in view in publishing the series. The result is gratifying in many ways, but chiefly so in confirming the belief, profound and abiding, which we have always maintained in the intelligence and honesty of the American people. The history of all the financial delusions which have possessed this country from time to time shows that the duration of each of them has been short — that it has in fact kept its hold upon popular opinion only so long as was necessary for the people to inform themselves as to its real character. The duration of this hold would have been much shorter in every instance if the professed leaders of the people, the men whose duty it was to guide them aright in all such matters, had been worthy always of the positions they occupied. If, when a "craze" breaks out, such leaders, instead of yielding to it, for fear opposition might cost them votes and place, were to explain to the people its real nature and its powerlessness to bring to them any of its promised blessings, it would make very little headway. The leaders have opportunities which the masses of the people do not have for informing themselves upon these questions, and if they were true leaders instead of false, they would impart their information when it was most needed. No one who has studied the history of popular "crazes" can fail to be struck with the fact that all of them have received their death-blow from a few courageous men or journals that have had sufficient faith in the American people to tell them the truth without fear or favor.

The Metropolitan Museum.

NOTHING could bring to mind more forcibly the rapid growth of artistic expression, and of the interests of art generally, in this city within a short time, than to turn, as we did the other day, to what we said on the subject in these columns not quite eight years ago (April, 1884), and contrast our remarks with the present condition of affairs. We have not reached the millennium yet,—nor, to be sure, is there any immediate danger of its approach,—but how much there is in that article which we could not say to-day, even were we so inclined!

We said, while urging the importance of an architectural department in the museum, that in this city "more bad architecture has been perpetrated in the last thirty years than perhaps ever was accomplished elsewhere"; but hardly were the words out of our mouth when matters began to improve. The down-town buildings began to express the dignity and solidity of our wealth, where before they had illustrated only its less attractive characteristics; corporations straightway took unto themselves souls, and demanded that their structures should be more artistic, as well as bigger, than those of their neighbors; the Washington Arch, undreamed of then, is a well-nigh accomplished fact; and now the joyous beauty of the Madison Square Garden has come to teach that even the every-day places of amusement are not unworthy of the highest efforts of the architect.

We believe we mentioned "blue china, and Capo-di-Monte and Limoges enamel" as the only kinds

of acquisitions to be expected from American millionaires, fearing that great masterpieces were hardly to be looked for from their generosity. Since that time one of these same millionaires has given the Metropolitan Museum a collection of old masters which any museum in Europe would be glad to possess, a gift of which a prince justly might be proud. Others have followed his example in giving or lending splendid pictures for the benefit of the public,—though the number of such benefactors is by no means as large as it might be,—and while it is still true, as we then said, that there is not in this country, to our knowledge, any really great Italian painting, the northern masters are worthily represented in quality, if not in numbers, in both public and private collections. The Sunday-afternoon opening, which, like many another good and Christian work, was accomplished only with toil and sorrow, has proved to hard-working people of all classes the greatest blessing which the trustees had it in their power to confer.

It was the Metropolitan Museum, its methods and its management, which formed the burden of our lament in the article we have in mind. More than once we have had occasion to say a serious word upon this topic, a duty which we felt the more imperative because of our interest in the institution itself, and our ambition to see it occupy the position it should in a community like that of the New York of to-day. For the same reason we hail with pleasure so much the keener every movement in the right direction, every endeavor to make its usefulness broader and more substantial; and our pleasure is no less genuine because the advances and reforms at the museum have been most conspicuous in the line of the program suggested in the editorial first referred to. In the light of recent events, we look back with peculiar satisfaction to what we said upon the subject of casts. It will be remembered that at the time we wrote the museum possessed no casts or plastic reproductions of whatever kind. The only conception of Greek sculpture which the visitor could acquire was that offered by the Cyprian statues; and even their most enthusiastic friends must admit that these suggest little of the glories of Pheidias and Praxiteles. They are hardly the examples which our sculptors would select for inspiration, and it amounted to a libel upon Greek art that these should be its chief representatives in a museum intended to be educational. It was with this fact in mind that we said: "It would seem natural that the first attention of a great American museum should be directed to such things as these; that one of the first acquisitions should be a collection of casts of all the great Greek sculptures. Sculpture has the immense advantage that it can be more adequately represented than any other art," and so on. We will not quote our own wisdom, but notice what has happened since those words were written. In a most overwhelming manner have those been discredited who once despised the plaster cast as unworthy a place in an institution of the first rank. First, the president of the museum, with characteristic liberality, realizing the necessity of including reproductions in the museum collections, gave \$10,000 with which to form a nucleus. Then we began to reap the benefit of Mr. Willard's magnificent bequest of \$75,000 for the purchase of architectural casts and models—a sum probably much larger than has ever been devoted to this purpose by any museum in Europe, with the ex-

ception of what the French government has done for the Trocadéro. Last, and best of all, comes this new committee of gentlemen, interested both in the subject and in the museum, who have already raised some \$100,000, a large part of which they have contributed themselves, for the purpose of presenting to the museum, on the part of the public, collection which, supplementing those already mentioned, and devoted mainly to sculpture, will produce a museum of reproductions without a peer in the world. Is there not cause for rejoicing?

The composition of the committee shows that the desire for such a collection is not confined to any one class or profession; and the manner in which the project has been started is the best guarantee that it will be carried out satisfactorily. First of all, amateur knowledge has been discarded. From the beginning the committee have placed themselves under the guidance of experts. They began by inviting experts in this country to prepare for them lists of objects which it would be desirable to have in a collection intended to be illustrative of plastic art in all epochs. These lists, which were drawn up by Mr. Edward Robinson of the Boston Museum of Fine Arts, and Professors Allan Marquand and A. L. Frothingham of Princeton, were published in a sumptuous style as "Tentative Lists," for the purpose of inviting further suggestions. Copies were sent to the principal European authorities on the history of art, as well as to those of this country. As a result of the replies received, and of Mr. Robinson's visit to Europe in the interests of the committee, the final lists of the collection have been prepared, the or-

ders have been sent out, and we presume that there is hardly an important foundry of plaster casts in Europe which is not occupied with work of which our city is to enjoy the benefit. The prospect of so much that is good and valuable makes us impatient for the time when the ultimate hopes of the committee shall be realized, and all the casts of the Metropolitan collections be brought together in a separate building erected especially for them—a building in which all questions of effective arrangement and proper lighting can be settled without restrictions of space or regard to the needs of other departments. The present structure, even with the addition now being completed, will of course be far too small for all that is to be comprised in these collections, and if the intentions of the committee are fully carried out, we shall be able to boast of a museum which is absolutely unique—a place where students may find all the necessary materials for inspiration and instruction, where painters, sculptors, and architects may enjoy, not indeed a substitute for study in Europe, but a most delightful and useful reminder of treasures seen there, and where everybody may feel the quickening influence of great thoughts expressed in beauty of form and line.

There are other reforms and improvements still possible at the museum, which would bring the institution into still higher esteem throughout the world of art; but as this is a subject on which our views are well known, and as we desire to say only complimentary things at the present moment, we will not be specific on these points. Just now we heartily wish success to the liberal plans of the committee on casts.

OPEN LETTERS.

The Regular Army and the National Defense.

HOW to prepare the republic for war is a topic that has been quite frequently discussed of late in the public journals. The articles upon this subject have been unanimous only in one respect—they have all maintained that preparation is necessary. Each writer has his own theory as to how the preparation should be accomplished, and any one of them would be feasible with a central government that could enforce the measure. None, however, seem practicable under a republican government such as the United States, because our institutions are incompatible with the requirements of military service. We must have a military system adapted to our form of government, and any attempt to assimilate it to the methods of the European powers must fail for the want of an arbitrary power to enforce it. Our statutes have borne upon their pages for nearly a century some military laws that are fundamentally the same as those of the German empire to-day, but for half a century they have been a dead letter. They constitute every able-bodied man between the ages of eighteen and forty-five a soldier, and require of him certain services. These services are never rendered, and the laws are complied with in but few trifling particulars, and in their tendency to the national defense they amount to nothing.

The regular army of the United States is content

with trying in a feeble manner to imitate European methods in such details as the authorities are able to enforce. These imitations are limited mainly to matters of dress, drill, and exercises, and are usually patterned after that military power that was considered to be in the ascendant. So long as the French were victorious we wore the French uniform and taught French tactics, and when the Germans conquered the French we donned the helmet, and now gather our ideas of progress from the German ranks, regardless of the difference of environment. The conditions of our service are so very different that we are not justified in this humiliating imitation and importation of foreign military methods. We should have a purely American and republican army, adapted to our surroundings and our form of government. There are no conditions on this continent that call for anything approximating to the standing armies of Europe. Such preparation here would be a waste of energy and time.

On the continent of Europe the situation requires that the armies should be ever ready for immediate action, and no first- or second-class power can afford to neglect this precaution. No such condition exists on this side of the water. When we consider these facts, it is difficult to understand why we should imitate and adopt so many of the details of their vast preparation. Much of the duty these large armies are engaged in has been instituted to furnish occupation for the troops dur-

ing times of peace; otherwise they would much more frequently become an element of danger to their own government. Take the matter of drill. Very much the largest part of drill tactics has no practical application in actual warfare. There was a time when it did. When battles were won by the shock of compact bodies of men from three to six ranks deep, drill was an important factor in maintaining compact formations. Now, to conduct a compact formation, even at the regulation route-step, within range of the improved long-range arms would be fatal. Compact formations are justifiable only beyond range for the comfort of the men and to economize space. Then why should we on this side waste so much time on the minutiae of complicated drill tactics, repeating, from one year to another, what a soldier is able to acquire in a few weeks as well as he ever can, when, as will be shown hereafter, he might be so much better employed? All we need or use of drill in actual war is to pass from column into line and from line into column by the simplest possible methods.

The use of drill tactics constituted an insignificant factor in the war of the Rebellion. That a large proportion of the exercise of it can be dispensed with even in the European armies is evident from the fact that the German volunteer, when his means will enable him to do it at his own expense, can get through with the military duty the Government requires of him in one year, while the impious conscript must take three years, when it is possible that the latter may be endowed with natural abilities to do the same duty better and in half the time. Different conditions justify different tactics. The Indian has no use for Upton, and all the information we could acquire from that manual would be of little service in qualifying us to meet the wily savage in the use of his own tactics. Our great difficulty in fighting the Indian is to adapt our service to his tactics. Every nation endeavors to put its military establishment on a footing that will make it superior to the dangers which threaten it.

While we need not be wasting our strength and resources in preparation for immediate war, we cannot afford to ignore the necessity that exists that we should be organized and properly instructed for war, as the surest method of preventing it. It is in war above all other maladies that an ounce of prevention is worth a pound of cure. We should have a sufficient military system to enable us to keep pace with other countries in the knowledge of the art of war, and to be able to utilize our resources in the event of the misfortune of war coming upon us. This is the general character of the preparation to which the intelligence of the nation must be directed.

The first requirement for national defense is an army properly officered; that is, fully supplied with officers thoroughly informed in their duties and capable of instructing the rank and file in their duties. Our present army can be utilized to that end by making every military post a military school, for which the graduates of the academy would be the proper instructors, and could educate the enlisted man to that degree which would qualify him to serve as an officer in the event of a war. To this end, the age for enlistment should not be over twenty-one years, and reenlistments should be exceptional. The matter of reenlistment has grown into a serious detriment to the service. The rank and file

should be young men always, and for the subalterns youth is the first qualification also. War is the young man's opportunity to realize his dreams of greatness and the admiration of mankind. He has less to lose and more to gain than the man of maturer years, who has entered upon the career he has chosen, and assumed responsibilities that he cannot lightly forgo.

If, in addition to the condition of youth, the recruits be selected *pro rata* from all portions of the Union, we provide for the dissemination of military knowledge throughout the country where it will be needed when the nation calls upon its sons to defend it in the hour of danger.

By constituting the regular army an educational institution for the purpose of furnishing instructors for the available militia of the land in time of need, there would be little if any addition necessary to the annual appropriation to carry the measure into effect. The low social status of the enlisted man would be at once raised to a plane of the highest respectability. The character of the duties would be such as to exclude from the ranks that element which furnishes the deserters, the gamblers, and the drunkards of the service, who have thrown so much discredit upon the army in times of peace as to deter the respectable youth of the country from entering its ranks.

By making the army respectable and introducing as the fundamental principle of the service the education of the young soldier, and his preparation for a higher station in life, at the public expense, there would be no difficulty in keeping the army filled with the best and most energetic of the youth of the land. We have had ample proof in the history of the country, and the existence of the military organizations in every State and Territory, and the devotion with which the people worship their military heroes, to make it certain that there would be no difficulty in keeping our little army full of the right kind of material for the defense of the nation in case of danger. But the army must be made distinctively republican, and adapted to our form of government.

Our army is limited to 25,000 men. If the recruits were selected from the different sections of the Union *pro rata*, fifteen from each congressional district annually would keep the army full, and at the end of five years they would return in the same proportion to the districts which sent them, and after the system was fully established, it would supply, every five years, seventy-five young men graduates from the army, instructed in all the duties necessary, from which the officers could be selected to supply the quota that would be called into service from the district in the event of a war. This number would be ample, the supply would be continuous to replace casualties, and the knowledge which they would bring would be up to date as regards progress in military methods.

With such a source from which to draw instructors, the raw levies called for could be in a condition for defense in the shortest possible time, and if the war clouds were as slow in gathering as they would be in the event that our enemy came across the ocean, they might be sufficiently prepared to act on the offensive by the time the storm burst upon the country. It is self-evident that there is no method provided by which the forces of the Union can be utilized and made effective to meet an emergency; the nation would be subjected to

humiliation and disaster before her strength could be organized for defense, and it would be impossible to estimate the loss that must be endured before the military strength of the country could be in a condition to act on the offensive.

To carry these views into effect, nothing more is required than a resolution of Congress to the effect that the army in time of peace shall be conducted as an educational establishment, for the purpose of preparing officers and instructors in military duties, and to disseminate a military knowledge throughout the entire Union, so that every section may have means of defense in any emergency. The enlistment laws should be amended so that the recruits would be obtained from the various sections in proportion to the population, and only young men under twenty-one years of age should be enlisted. Re-enlistment should be authorized only in special cases where men had shown themselves exceptionally qualified as instructors, and should be an honorary privilege attended with increased pay and distinction, to serve as a stimulant to all.

Should this system be adopted, it would take five years with the present period of enlistment before the supply of material for officers would begin, but at the end of ten years every section of the Union would be supplied with a sufficient number of army graduates to officer and prepare for the field any number of volunteers that would be likely to be called for or required in any emergency.

Should war fail to come,—and the fact that we had such a means of preparing for it would be a very effective method of warding it off,—the young men from the army would still be a valuable element of the communities to which they would return. Besides being good patriotic citizens, they would be valuable as instructors for the National Guard organizations, and would keep alive in the country the military spirit so essential to our existence as a nation.

The measures herein suggested are so simple and easy of execution, and so important in their object, with little if any additional cost to the Government, that their adoption should follow in view of the fact that there is so little preparation for the national defense. The plan is both democratic and republican, for it would make our army a representative institution, drawn from the people, for the people, and would be as beneficial during peace as in war, and would give a strength to the republic it has never had. The social and political status of the army would rise to be the pride of the nation, and as long as our enemies are as remote as at present, no other means for marshaling the troops would be required for the national defense.

August V. Kautz,
Brevet Maj.-Gen., U. S. Army.

A National Militia.

"Solon said to Croesus, 'If another come whose iron is better than yours, he will take away all this gold.'"

THE United States is to-day the Croesus of nations, but there are in Europe at least six great powers whose iron of war is better than our gold. Any one of these, by merely arranging a convention to secure the neutrality of the others, could extract indemnities from us, limited only by its cupidity and our wealth.

For some years there has been more or less friction in our relations with the German empire. Our relations with Canada and hence with England have been for some time decidedly strained. The same causes which brought about the Mexican war, in 1846, exist to-day, but in vastly increased ratio, viz.: the presence of a numerous colony of our people on Mexican territory and the investment of many millions of our capital in Mexican enterprises. China has repeatedly entertained against us a *casus belli* more strong and just than any which has led to the numerous wars of this century. Should the Panama canal ever be completed, we can look forward to it as a fruitful source of diplomatic discussion, if not of serious international contention. Some of our leading statesmen have asserted on the floor of the Senate that the mere existence of that canal as a European property, under foreign control, would constitute an infraction of the Monroe doctrine, which is at present our sole foreign policy, and which we cannot now abandon without losing national prestige and incurring national disgrace.

All history shows that the suggestions of a nation are respected and heeded only in proportion to the amount of organized, equipped force with which she is ready to emphasize them. If we expect our just and reasonable demands to be respected and heeded by the powers, we must have a navy and we must organize and train a national militia. We are to-day building ships, but we are without soldiers, and these cannot be made of the standard pattern in a day, or a week, or a month. But war may come upon us with giant strides. With the vast accumulations of wealth in our defenseless lake and sea-bound cities, we offer to any well-armed, first-class power the safest, richest picking which the earth has furnished since Pizarro sacked Peru.

The Constitution fully recognizes the vital importance of the subject, and invests Congress with ample powers to enact the necessary laws. In 1792 Congress passed a Militia Act which is to-day the militia law of the United States. Under its provisions must be drilled and trained, if they are to be trained according to law, the seven millions of able-bodied citizens between the ages of eighteen and forty-five who are to form the reserve to our little regular army.

Through the neglect of Congress, the whole nation is left without a practicable militia law. Hence the individual States are left to their own devices in providing a re-enforcement to their various municipal police forces. This police reserve is a measure of necessity merely as an additional insurance on life and property where a dense population exists in proximity to vast accumulations of wealth.

For all the purposes for which it was intended, it would be difficult, without a vast increase of expenditure, to devise a more reliable or perfect organization than the New York State Guard. But when we come to look at these organizations from a national standpoint, they present a very different appearance. In fact, they do not exist at all so far as the United States is concerned. Let us suppose, by way of illustration, that Congress, acting within its constitutional powers, declares war and calls out the militia, and that the President then makes requisition on the governor, say of New York, for a certain number of militiamen. Of course the only militia which he has a right to call

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for are the national militia, those existing by reason of and in accordance with the Constitution and the Act of 1792. The governor might truthfully reply that there was not a single national militiaman in his State, that the men at his disposal were the State Guard, organized and maintained by acts of its legislature, and that, as they were not the product of any national legislation, he did not recognize the right of the President of the United States to make requisition for them. This would be a very temperate and civil response for a governor to make compared with some recorded in our history. The President's only recourse then would be to issue calls for volunteers. He might get them and he might not, depending on whether or not his war was popular in that State. Thus it is evident that even the small number of militia in our country who are drilled and disciplined are entirely beyond the control of the President in time of war. Of course the individuals composing the State armies are at liberty to assist the President in his war, provided the governors do not interfere to prevent them. But there have been several instances where governors have so interfered. In short, the citizens accept or decline the invitation to attend the war, as best pleases them. When everything in the nation is staked on the chances of battle, the President of sixty millions of people should not be an issuer of invitations, but of orders.

Of late years there has been a growing and manifest desire on the part of the Government to disseminate military instruction among the people. This important question resolves itself into two parts: first, how shall the requisite number of men be disciplined and drilled; second, how shall the Government be guaranteed that in time of need it can command the services of the identical men upon whom it has spent its time and money. The Government would not be justified in arming and drilling men and yet leaving the matter in such shape that, when it called for soldiers, the State governors could give it either raw recruits or none at all, at their pleasure, which would be the state of affairs should it spend money on the so-called National Guards as they now stand. In short, the Government, in proposing to arm and train A. and B. to be soldiers, should have the power of insuring itself that when it asks for soldiers in an emergency, it shall get A. and B., whom it has trained, and not C. and D., who are ignorant of a soldier's business.

To attain this end, there is no more simple and practical method than to pursue our great national precedent of a subsidy; but always having it clearly understood and fully admitted by all concerned that the Government reserves the right to command, at any time, the services of the identical men whom it has trained. Next, let us establish a standard militiaman, and fix the price to be paid for him. On looking the world over, we will find that there is no commodity in its markets whose price varies so much as that of the soldier. A soldier costs Germany, per year, \$202; France, \$208; England, \$405; the United States, \$990. These figures represent the cost of regular soldiers, whose entire time is devoted to armies. In our own country, New York, which has the largest and perhaps the best State Guard, pays annually, per man, about \$35.00. All things considered, the United States Government could well afford to pay annually, per man, \$50.00 for standard United States militiamen. In this way Congress could

fix the number of men for whose military instruction it saw fit to provide by inserting a corresponding sum in the yearly appropriation bill. It could train twenty thousand men for one million dollars, forty thousand for two millions, and so on, according to the varying needs of the country.

The dual allegiance which every citizen owes the general and State governments should be recognized. The militia would be entirely under the control of the State for local purposes, except at such times as Congress might call them forth for the national defense. The States would furnish the men and the nation would pay the cost. The general Government, being the major power, should claim the right of precedence in commanding their services. A more just and equal copartnership cannot be devised. It is constitutional, rational, and practicable, and were it adopted by the States generally, it would have the effect of rendering the State National Guards constitutional and legal, which at present they are not.

*Robt. Kennon Evans,
FORT LEAVENWORTH, KANSAS.
Lieut., U. S. A.*

George De Forest Brush.

THE "Moose Hunt," by George De Forest Brush, engraved in this number of THE CENTURY, is probably his strongest picture; and one can hardly regard it without high admiration for the mental and technical equipment of the painter. It is like opening a window and looking out into another age, upon another race, almost into another world. To achieve this result a high resolve and an unflinching steadfastness of purpose are needful, and these qualities, combined with great technical skill, have been observable in Mr. Brush's work since 1880, when, at the exhibition of the Society of American Artists, he made his first appearance before the American public with a picture inspired by Bret Harte's "Miggles." Up to that time Mr. Brush had pursued the uneventful career of an art student, first at the Academy of Design in this city, from 1871 to 1873, and after that, from 1874 to 1880, in the studio of Gérôme in Paris. Returning to this country in the latter year, Mr. Brush, with the courage of his conviction that as an American he must paint subjects suggested by American life, has passed much time in the West and in Canada gathering the material for a large number of pictures of Indian subjects which have greatly increased his reputation.¹ In 1890, at the age of thirty-five (having been born in Shelbyville, Tennessee, in 1855), Mr. Brush returned to Paris, where he still remains. Rumors of a change in his opinions, a realization that art, to be American, need not necessarily be local, have reached his friends here, and may be true or not, though the classical subject which he is reported to be painting would bear out such a supposition. But whether his views remain fixed or change with the seasons, Mr. Brush will always be an important factor in our art, where we have too few men who think, and, thinking, execute with sureness born of knowledge.

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¹ For Mr. Brush's individual views on his art, see THE CENTURY for May, 1885. Mr. Brush was elected member of the Society of American Artists in 1882. In 1888 he received the first Haligarten prize at the National Academy Exhibition, and was elected an associate of that body the same year. He has also had charge of classes at the Art Students' League and the Women's Art School, Cooper Union.

IN LIGHTER VEIN.



IN AN ART-GALLERY.

A Valentine Villanelle to Kate.

ON this St. Valentine his day
The feathered songster woos his mate,
And each true lover chants his lay.

The lilting birds trill clear and gay,
And strive with song to pierce heaven's gate,
On this St. Valentine his day.

The swelling buds show green to-day,
For tardy spring they scarce can wait,
And each true lover chants his lay.

The coyest maid yields to love's sway
(As troubadours' old tales relate)
On this St. Valentine his day.

How easy "Yes" it were to say!
Let those sweet eyes consent to fate
While thy true lover chants his lay.

A word of cruel scorn like "Nay"
Should fall not from the lips of Kate
On this St. Valentine his day,
When each true lover chants his lay.

Mary C. Hungerford.

Yo te Amo.

"Yo te amo!" Would you know
What these words mean, you must go
Where eyes speak and lips are still.
There where sings the mountain-rill
"Yo te amo," in its flow
To the rushes bending low,
And the blushing cloudlets sigh
"Yo te amo" to the sky.

"Yo te amo!" 'T is a breath
Soft, but lingering till death—
Murmured by the moonlight fair,
O'er the perfumed grasses there.
E'en the flowers at your feet
Kiss them as they breathe it sweet,
And faint echo calls it low—
"Ah! I love thee, love thee so!"

Rosalie M. Jonas.

A Contrast.

CERTAIN it is, in ancient times,
That poetry was free from rhymes.
To-day, alas! most rhymes are free
From anything like poetry.

Frank Dempster Sherman.

Consistency.

REPROACH me not, though it appear,
While I true doctrines teach,
I wholly fail in my career
To practise as I preach.

Yon guide-post has, through countless days,
"To London" pointed on,
Nor once has quit the angled ways,
And up to London gone.

Doane Robinson.

Something Forgotten.

I MET her first on yesternight,
And rashly promised to indite—
For one so charming in her prime —
A tribute of most humble rime.
'T is almost finished, quite complete
In meter, cadence, verse, and feet;
But I forget, alas! alack!
If those dear eyes were blue or black,
While it would cost me several guesses
To hit the color of her tresses.
Ah, memory, treacherous and false,
Was it a polka or a waltz
In which the pleasing task was mine
To guide her breathing form divine?
And whether she was short or tall
Is something which I can't recall.

J. A. Macon.

Who lies as well as Truth?

WHY do men doubt me, since the truth I tell,
While Ananias prates to credulous ears?
Is it because his lie is plausible,
While my plain truth less credible appears?
Thus Hell itself from modern creeds is driven,
While all theologies unite on Heaven.

S. R. Elliott.

A Little Tory.

WHEN knickerbockers were the style,
She dwelt upon Manhattan Isle,
Where now a massive granite pile
Frowns grim and gloomy.
Her laugh was like the trill of bird;
A brook-note seemed her every word;
And it may rightly be inferred
Her cheeks were bloomy.

To storm those hostile to the king
Keen verbal missiles would she fling;
She deemed a patriot a "thing"
Without discretion.
The throngs of troopers clad in red
So turned the lovely maiden's head,
She worshiped Britons all, she said,
And liked a Hessian.

Her merry bosom thrilled with pride,
One evening at her mother's side,
When bowed before her, ardent-eyed,
A gay young captain;
And through the mazy minuet
She played the shy, demure coquette,
Till hopelessly her Cupid-net
She had him trapped in.

Alas! his lover-reign was brief;
He fell from grace as falls the leaf
When crisp October days bring grief,

And hills grow hoary;
For one appeared, of courtly suit,
With dashing air and spur on boot,
In war and love no raw recruit —

So runs the story.

And rumor said — that fickle dame
Who breasts the brunt of righteous blame —
That from the camp afar he came
On secret mission.

He told the maid of fields of fight;
She listened with a keen delight,
Until she dreamed a warrior knight
No vague tradition.

He woed and won. The wedding-day
Was set, when he, before so gay,
Grew grave and gloomy as a gray
And sunless morning.

To all the mournful change was clear;
He paled at sudden sounds; his ear
In soft breeze-whispers seemed to hear
Some word of warning.

At last, one evening, as he pressed
The maiden to his martial breast,
His troubous secret he confessed,
By conscience smitten;
Declared he could no longer meet
The woman to his heart most sweet
With lying words and base deceit —
He was no Briton!

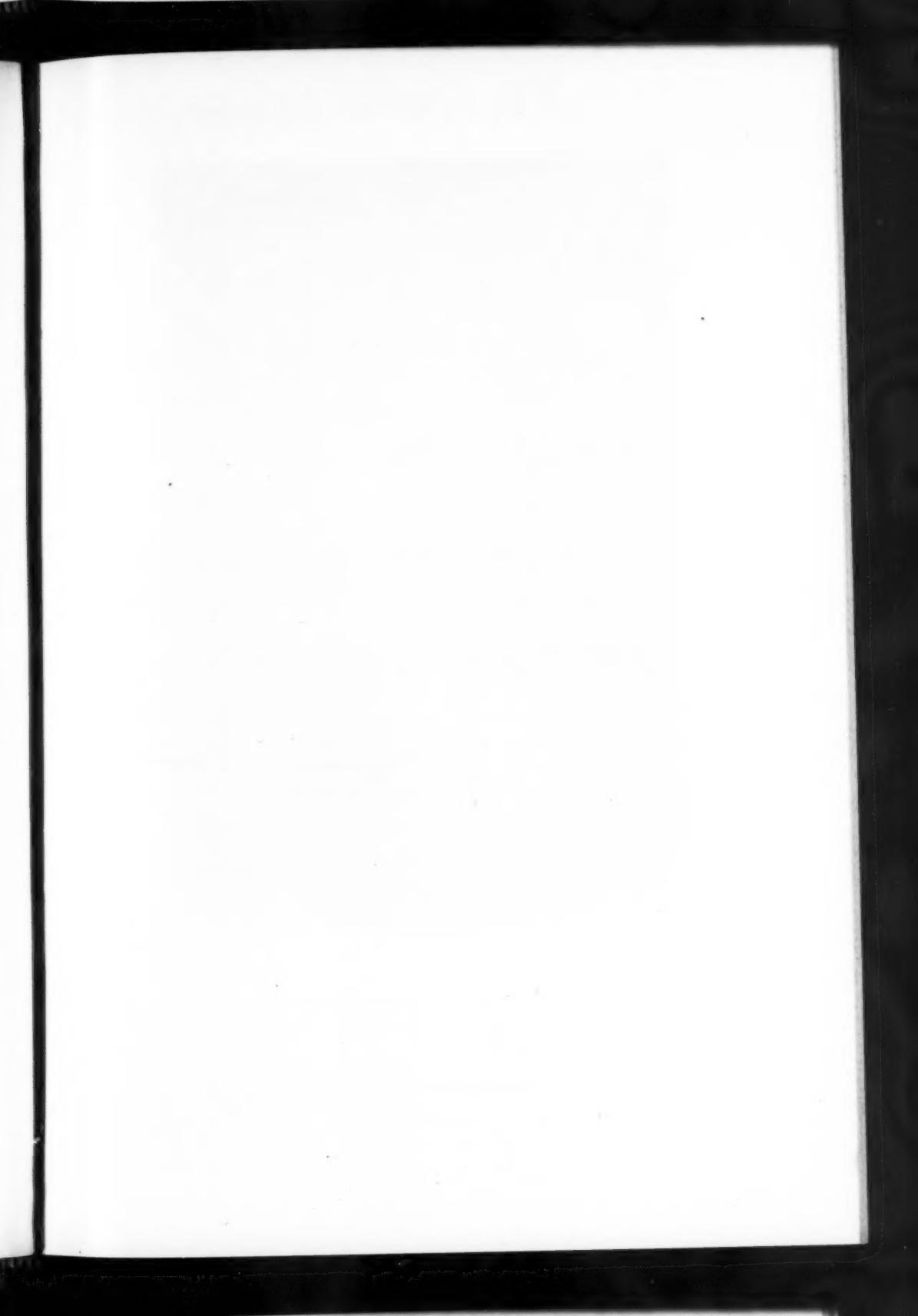
But love still beaconed from her eyes,
Though she was silent with surprise;
And as he, free from all disguise,
Now bent above her,
He told her of the dangers rife,
And hinted at the laws of strife —
How, captured, he might lose his life,
And she her lover.

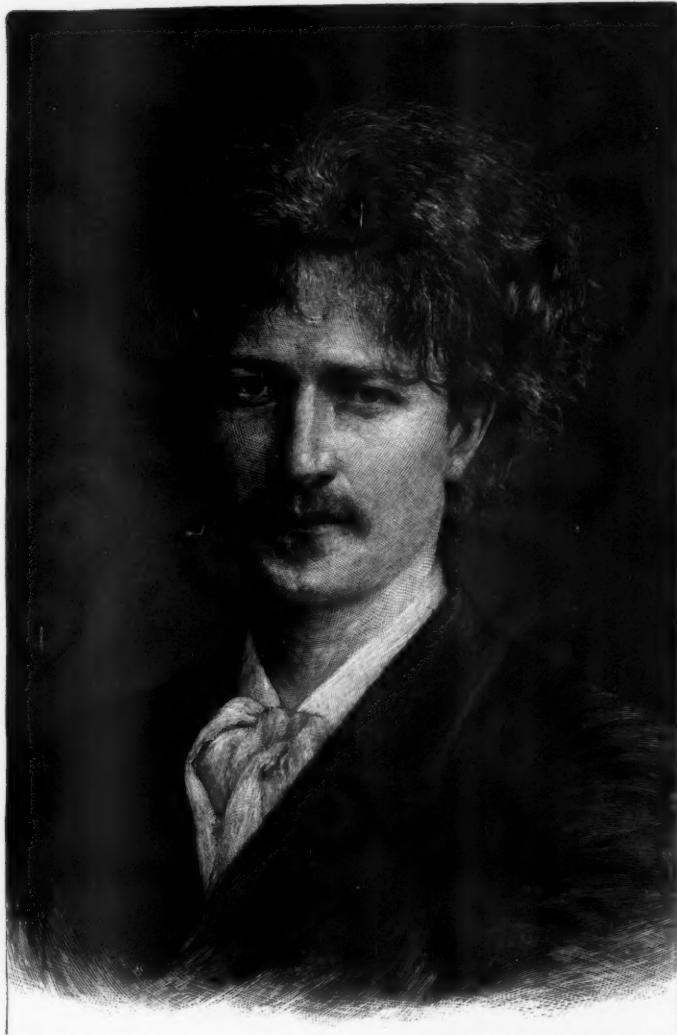
And since her tender heart was true,
What could this *loyal* maiden do,
When it was "all for love," she knew,
That he had tarried,
But join him in his hurried flight,
And cross the slumbering lines at night?
Kind Fortune led the lucky wight;
No plan miscarried.

When every danger had been passed,
And they had reached the camp at last,
The soldiers' arms aside were cast
To greet their idol.
Then, ere another day was done,
The chaplain came and made them one —
'T is said that General Washington
Danced at the bridal.

That is her picture hanging there
Behind the antique rocking-chair;
The painter e'en of all that's fair
Could not divest her.
Would happy fate had made it mine
To see your eyes demurely shine,
And listen to your voice divine,
My sweet ancestor!

Clinton Scollard.





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JY Paderewski

